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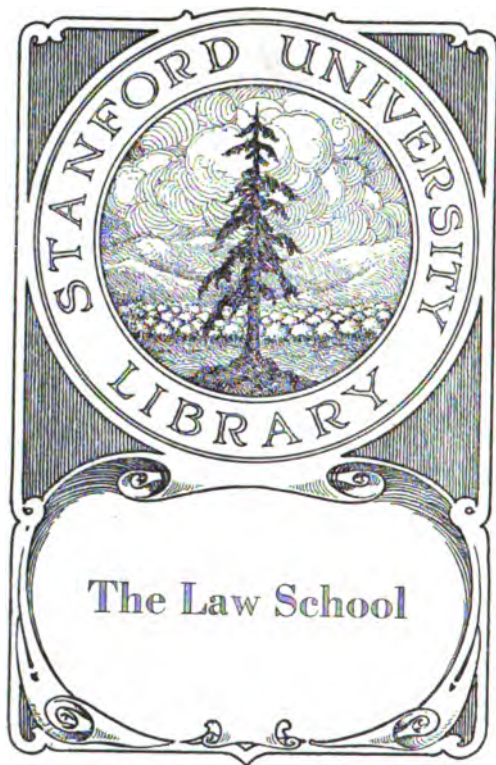
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Larry G. Herick



Minnesota Fall.

GENERAL LAWS
OF THE
STATE OF MINNESOTA
=

PASSED DURING THE
THIRTY-THIRD SESSION

OF THE
STATE LEGISLATURE

COMMENCING JANUARY SIXTH, ONE THOUSAND NINE
HUNDRED AND THREE.

OFFICIAL PUBLICATION BY SECRETARY OF STATE.

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GENERAL LAWS
OF
MINNESOTA

PASSED AND APPROVED DURING THE THIRTY-
THIRD SESSION OF THE LEGISLATURE
COMMENCING JANUARY SIXTH, 1903.

CHAPTER 1.

R

S. F. No. 1.

An act to appropriate money for the expenses of the present session of the legislature.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That the sum of one hundred and fifty thousand (150,000) dollars, or so much thereof as may be necessary, be and the same is hereby appropriated from the general fund for the payment of the per diem, mileage and other expenses of the members and officers of the legislature during the present session thereof.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Jan. 12, 1903.

CHAPTER 2.

R

H. F. No. 24.

An act to amend section two (2) of chapter three hundred seventy four (374) of the General Laws of 1897, entitled "An act to include the County of Red Lake in the Fourteenth (14th) Judicial district, and to fix the time for holding the general terms in the District Court therein.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section two (2) of chapter three hundred seventy-four (374) of the General Laws of One

Terms of
Court in
Red Lake
County.

Thousand Eight Hundred and Ninety-seven (1897), be and is hereby amended so as to read as follows:

Writs, etc.,
returnable.

SEC. 2. That all writs, subpoenas, processes, recognizances, appeals, notices and proceedings had, issued or returnable for the terms of court in and for said county, as fixed prior to the passage of this act, shall be deemed and construed as made, taken and returnable to the proper term of court in said county as fixed by this act.

SEC. 3. That the general terms of the District Court in the County of Red Lake, in the Fourteenth (14th) Judicial district of the State of Minnesota, shall be held on the fourth Monday in March and the fourth Monday in October of each year.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved Jan. 26, 1903.

S. F. No. 34.

CHAPTER 3.

An act to amend section one (1) of chapter sixty-eight (68) of the General Laws of the extra session of 1902, relating to terms of the District Court in the First Judicial district.

Be it enacted by the Legislature of the State of Minnesota:

Terms of
Court in
First Dis-
trict.

SECTION 1. That section one (1) of chapter sixty-eight (68) of the General Laws of the extra session of 1902, be and hereby is amended so as to read as follows:

Sec. 4912. In First District—The general terms of the District Court of the First Judicial District of this state shall be held at the times following:

Goodhue.

In the County of Goodhue, on the second Wednesday in March and the third Tuesday in October, in each year.

Dakota.

In the County of Dakota, on the first Tuesday in June and the first Tuesday in December, in each year.

Washington.

In the County of Washington, on the first Tuesday in May and the third Tuesday in November, in each year.

In the County of Pine, on the second Tuesday in April and the third Tuesday in September, in each year.

Chisago.

In the County of Chisago, on the first Wednesday in October, in each year.

Kanabec.

In the County of Kanabec, on the third Tuesday in February, in each year.

Writs, etc.,
Returnable.

SEC. 2. All writs, processes, recognizances, bonds, or-

ders, continuances and proceedings, issued, made or returnable to the general term of said District Court in and for the said counties respectively as fixed by law prior to the taking effect of this act, shall be deemed and construed as, and the same hereby are made and returnable to the proper term of said court in the county respectively as prescribed in this act.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved Jan. 27, 1903.

CHAPTER 4.

S. F. No. 3.

An act relating to parks and park boards in cities in the State of Minnesota having a population of more than fifty thousand inhabitants.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the park boards and boards of park commissioners in all cities in the State of Minnesota having a population of more than fifty thousand inhabitants, are empowered to receive and accumulate in its treasury all moneys arising from the operation and control of all parks in such cities, and to use and disburse the same in addition to all moneys provided by law, in the improvement and maintenance of such parks.

Parks and
park boards
in cities
over 50,000.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved Feb. 4, 1903.

CHAPTER 5.

S. F. No. 33.

An act to authorize cities having a population of 10,000 or less to issue certificates of indebtedness for an amount not exceeding five thousand dollars (\$5,000).

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the common council of all cities organized, existing and governed by and under a special charter, containing a population of 10,000 inhabitants or less, and which cities are engaged in the construction of water works, may, for the purpose of securing funds

Cities of
10,000 and
less may
issue certi-
ficates of in-
debtedness
for water
works.

for the construction of such water works, issue certificates of indebtedness and have the same outstanding and unpaid at one time, in the sum of not to exceed five thousand dollars (\$5,000).

Provided, however, that after April first, 1903, the powers herein granted shall cease, and such cities shall thereafter have only the power and authority to issue certificates of indebtedness which existed by virtue of their special charters before the passage of this act.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Feb. 4, 1903.

S. F. No. 102.

CHAPTER 6. *R*

An act to amend section 1426 of chapter 10, title 5 of the General Statutes of 1894, as amended by subsequent acts relating to public libraries and reading rooms.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 1426 of the General Statutes of 1894, as amended by chapter 114 of the General Laws of 1897, and chapters 48 and 162 of the General Laws of 1899, and chapter 272 of the General Laws of 1901, be, and the same is hereby amended so as to read as follows:

Public libraries and reading rooms.

Posting notices.

Section 1426. When any city or village council shall have been thus authorized to establish and maintain a public library and reading room or either of them under this act, written notice shall be posted in three of the most public places in said city or village, signed by the city clerk or village recorder of said city or village, requesting the qualified voters of the city or village in which the city or village council shall have been thus authorized to establish or shall have established such library or reading room or either of them, to assemble on the third Saturday in July next following the passage of this bill; and in cases where such authority is hereafter given, requesting the qualified voters of any city or village in which the city or village council may hereafter be thus authorized to establish a public library or reading room or either of them, to assemble on the third Saturday in July next following the election at which said city or village council shall be so

Voters to elect directors on 3rd Saturday in July.

authorized and at some suitable place in said city or village, to be named in said notices, then and there to vote by ballot for nine directors for said library and reading room, or either of them, which notices shall be posted at least ten days prior to said meeting, and the failure of said clerk to post said notices shall be a misdemeanor. *Provided, however,* that when any such city or village shall have been so authorized to establish a public library or reading room under the provisions of this act at least six months before said election, in any year, to avoid delay in the organization of such library board, the mayor of such city, or president of such village, shall name and appoint said nine directors for said library board, whose term of office shall expire on the fourth Saturday of the following July, and when so appointed said directors shall organize as provided by section 1427 of said chapter ten, and shall possess all the powers therein granted to said library boards until the expiration of their said terms of office.

Notices
posted ten
days prior
to meeting.

Mayor may
name di-
rectors, when.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Feb. 4, 1903.

CHAPTER 7.

S. F. No. 108

An act to provide for the maintenance and care of law libraries for the use of public officials in counties having a population of 200,000 or more and in which there is a court house and city hall used jointly by the county and the city constituting the county seat.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. In all counties in this state now having, or which shall hereafter have, a population of 200,000 or more, in which there now is, or shall hereafter be, erected at the county seat a county court house and city hall for the joint use of such county and the city constituting its county seat, law libraries for the use of the officials hereinafter mentioned may be maintained in such court house and city hall in the manner hereinafter provided.

Law libra-
ries in
counties of
over 200,000
inhabitants.

SEC. 2. Upon the filing of a petition with the clerk of the district court by any tax payer or corporation in such county, setting forth that it is for the interest of the public that such law library should be established and

Procedure to
establish.

maintained, and a plan or proposition for establishing and maintaining the same, and praying that such library shall be established and maintained in such court house and city hall, said clerk shall issue a notice addressed to the county attorney and city attorney of said county seat, which notice shall fix a time for hearing such petition by the district court not less than eight days from the date of the service of such notice. Such notice, together with a copy of the petition attached thereto by the clerk, shall be served by the sheriff upon such county and city attorneys in the same manner as a summons in a civil action is served, and if any private individual or corporation is referred to in said petition as a party to the establishing and maintenance of such library, then such notice and petition shall be served in like manner upon such private person.

Court to
hear and
determine.

SEC. 3. Upon the return day mentioned in said notice, the district court, or a judge thereof, shall hear and determine said matter in the same manner in which motions are heard and determined by the court at chambers or at a special term. At such hearing the petitioner shall be the moving party and the county attorney and city attorney for such county seat shall appear and represent such county and city, respectively.

Court to
direct county
commission-
ers to pro-
vide room
for library.

If upon a full hearing, the court shall determine that it is for the interests of such county and city to maintain a law library in such joint building, and it shall appear that any individual or corporation is able and willing to install a suitable library therein and maintain the same in a suitable manner, the court shall make an order, directing the county commissioners of such county and the city council of such county seat to provide suitable accommodations or library rooms, properly heated and lighted, for such library in such court house and city hall designating the same as near as may be. Such order shall also require such county commissioners and city council of such city to make an annual appropriation of not more than fifteen hundred dollars and not less than twelve hundred dollars to pay the expense of the proper care of such library rooms and the salary of the librarian, other than for light, heating and janitor service herein before provided for such library, and such order shall apportion said appropriation between such county and city as shall be just and equitable and shall require such appropriation to be made annually until further order of

Salary of
librarian.

County and
city to bear
expense.

said court. *Provided*, the owner of such library shall consent in writing to the installing and maintaining such library in said building for a term of not less than ten years.

SEC. 4. All the judges of the district court of such county and the judges of the municipal court of such city, together with all city and county officials in and for such county and city, shall have the free use of such library at the library rooms, and shall be permitted to take books therefrom to be used in such district court and in the municipal court of such city, subject only to such reasonable rules and regulations as shall be established therefor by such district court.

Who may
enjoy free
use.

SEC. 5. The owner of such library shall retain the complete ownership, administration and control thereof, elect its own officers and said librarian therefor, make all rules and regulations for the use thereof by others than the officials aforesaid, and said owner shall maintain said library in reasonable repair and efficiency while it shall remain in said building without any charge or expense therefor to such county or such city for such maintenance or for use by said officials except as hereinbefore provided.

Ownership,
control.

Use of by
others than
officials.

SEC. 6. It is hereby made the duty of all the officials of such counties and of such cities as shall come within and take advantage of the provisions of this act, to take all necessary steps to make, collect and pay over any appropriation approved and ordered under the provisions of this act, in the manner in which other appropriations are usually made, collected and paid over by them; and to obey all the rules, orders and regulations made by the district court as herein provided to the end that the full purpose and intent of this act shall be carried into effect.

Duty of
county and
city officials.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved Feb. 7, 1903.

S. F. No. 94.

CHAPTER 8.

R

An act to amend section No. 4933 of the General Statutes of 1894, and chapter 319 and chapter 321 of the General Laws of 1895, with reference to the time of holding terms of the district court in the several counties of the Tenth Judicial District of the State of Minnesota.

Be it enacted by the Legislature of the State of Minnesota:

Terms of
court, 10th
district.

SECTION 1. The general terms of the district court in and for the Tenth Judicial District in and for the counties of Fillmore, Freeborn, Houston and Mower shall be held in said counties as follows:

Freeborn.

In the county of Freeborn on the first Tuesday in May and the second Tuesday in December of each year; provided, that in case the business at said May term shall not be completed for any cause prior to holding any other term of court in said district said May term shall be adjourned to the month of July following, and to such time in said month as the presiding judge shall direct, for the transaction of such unfinished business.

Fillmore.

In the county of Fillmore on the fourth Tuesday in May and the second Tuesday in November of each year.

Houston.

In the county of Houston on the fourth Tuesday in February and the third Tuesday in October of each year.

Mower.

In the county of Mower on the second Tuesday in January and the second Tuesday in June of each year.

Writs, etc.,
returnable.

SEC. 2. All writs, processes, orders, continuances, appeals, bonds, recognizances, notices of proceedings issued, made or returnable to the general terms of court in and for said counties respectively, as prescribed by law prior to the taking effect of this act, shall be deemed and construed as made, taken and returnable to the proper term of court of the counties, respectively, as prescribed in this act.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved Feb. 10, 1903.

CHAPTER 9. *R*

S. F. No. 100.

An act to amend section No. 4915 of the General Statutes of 1894, with reference to the time of holding the terms of the district court in the several counties of the Fifth Judicial District of the State of Minnesota.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The general terms of the district court in and for the Fifth Judicial District in and for the counties of Dodge, Rice, Steele and Waseca shall be held in said counties as follows:

Terms of court in 5th district.

In the county of Dodge on the first Monday in April and the first Monday in October of each year.

Dodge.

In the county of Rice on the first Tuesday in May and the second Tuesday after the first Monday in November of each year.

Rice.

In the county of Steele on the first Tuesday in June and the fourth Tuesday in November of each year.

Steele.

In the county of Waseca on the third Tuesday in March and the third Tuesday in October of each year.

Waseca.

SEC. 2. All writs, processes, orders, continuances, appeals, bonds, recognizances, notices of proceedings issued, made or returnable to the general terms of court in and for said counties, respectively, as prescribed by law prior to the taking effect of this act, shall be deemed and construed as made, taken and returnable to the proper term of court of the counties, respectively, as prescribed in this act.

Writs, etc., returnable.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved Feb. 11, 1903.

S. F. No. 8.

CHAPTER 10.

An act legalizing school bonds heretofore voted upon by cities under the provisions of chapter two hundred and four (204) of the General Laws of the State of Minnesota for the year one thousand eight hundred and ninety-three (1893) and acts amendatory thereof.

Be it enacted by the Legislature of the State of Minnesota:

Legalizing
school bonds
heretofore
voted, under
ch. 204, 1893.

SECTION 1. That all school bonds heretofore voted upon by any city under or pursuant to the provisions of chapter two hundred and four (204) of the General Laws of the State of Minnesota, for the year one thousand eight hundred and ninety-three (1893), as amended by chapter one hundred and twenty-eight (128) of the General Laws of the State of Minnesota for the year one thousand eight hundred and ninety-five (1895) and other acts amendatory thereof, are hereby declared to be, when issued and sold, legal and binding obligations of said city; providing that the proposition to issue said bonds received a two-thirds majority of all votes cast upon the proposition to issue said bonds at the election when said proposition was voted upon; and *provided further*, that all other requirements of law have been fully complied with.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Feb. 11, 1903.

S. F. No. 50.

CHAPTER 11.

An act to amend that subdivision of section two (2), of chapter one hundred and twenty (120) of the General Laws of the State of Minnesota, for the year 1897, entitled: "An act to prescribe the bounds of senatorial and representative districts, and to apportion anew the senators and representatives among the several districts," entitled "Thirty-third district."

Be it enacted by the Legislature of the State of Minnesota:

Bounds of
senatorial and
representative
districts.

SECTION 1. That that subdivision of section two (2), of chapter one hundred and twenty (120) of the General Laws of the State of Minnesota for the year 1897, en-

titled "Thirty-third District," be amended so as to read as follows:

THIRTY-THIRD DISTRICT.

The thirty-third (33d) district shall be composed of ^{33rd district.} the First (1st) and Second (2d) wards of the city of Saint Paul, and shall be entitled to elect one (1) senator, and two (2) representatives. Representative districts divided as follows: The First (1st) ward shall be entitled to elect one (1) representative. The Second (2d) ward shall be entitled to elect one (1) representative.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Feb. 13, 1903.

CHAPTER 12.

S. F. No. 90.

An act fixing the times for holding general terms of the district court in the counties of Lake and Cook in the Eleventh judicial district of this state.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. General terms of the district court for the county of Lake in the Eleventh judicial district of this state shall be held on the first Wednesday of June and on the first Wednesday of December in each year. ^{Terms of court in 11th district.}

SEC. 2. A general term of the district court for the county of Cook in the Eleventh judicial district of this state shall be held on the last Thursday of June in each year. ^{Lake.}

SEC. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed. ^{Cook.}

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved Feb. 13, 1903.

H. F. No. 35.

CHAPTER 13.

An act to legalize the organization of certain municipal courts organized under chapter two hundred and twenty-nine (229) of the General Laws of eighteen hundred and ninety-five (1895).

Be it enacted by the Legislature of the State of Minnesota :

Legalizing
municipal
courts in
cities of
less than
5,000 organ-
ized under
ch. 229, 1895.

SECTION 1. That in all cities of less than five thousand (5,000) inhabitants in this state, where there has heretofore been organized or attempted to be organized, a municipal court under the provisions of chapter two hundred and twenty-nine (229) of the General Laws of 1895, and amendments thereto, and where the city council of such city has adopted, or attempted to adopt and accept the provisions of said chapter two hundred and twenty-nine (229), and where the officers of said court have been elected as provided in said act, and said court has been organized, and has in fact proceeded to act as a court, and to transact and carry on business as such court, such organization or attempted organization is hereby legalized and declared a valid and effectual organization of such court, and all such courts shall possess and are hereby endowed with all the rights, powers and privileges, conferred under the provisions of said act and the amendments thereto.

And all officers of such court, and all persons acting as officers of such court, shall occupy and continue to occupy their offices in like manner as if said court had been in all respects duly organized.

Provided, Nothing herein shall affect any action or proceeding now pending.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Feb. 13, 1903.

CHAPTER 14.

H. F. No. 103.

An act to provide for the disposition of unclaimed dividends or other moneys and the final closing up of the affairs of any corporation or association organized under the laws of Minnesota and subject to the supervision of the public examiner and superintendent of banks, in liquidation, either voluntarily or by order of court.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Whenever any corporation or association, organized under the laws of Minnesota, and subject to the supervision of the public examiner and superintendent of banks, is in process of liquidation, either by its voluntary act or by order of the court, and such liquidation has proceeded so far that the only thing remaining to be done, to finally close up its affairs, is the paying out of dividends or other moneys, set apart for payment upon claims against such liquidating corporation or association, and the receiver or other liquidating officers thereof have been unable to locate and to pay over such dividends or other moneys to the proper claimants, then and in that case said unclaimed dividends and other moneys shall be disposed of, and the affairs of said liquidating corporation or association shall be finally closed up, as in this act provided.

Unclaimed dividends of corporations under supervision of public examiner, disposition of.

SEC. 2. Whenever the public examiner and superintendent of banks shall be satisfied that the process of liquidating the affairs of any corporation or association, mentioned in section 1 of this act is in the condition stated in said section 1, then it shall be his duty to forthwith notify the receiver or other liquidating officers thereof that further delay in closing up the affairs of said corporation or association will be a useless and unreasonable expense, and to direct such receiver or other liquidating officers to make and certify lists in quadruplicate of any unclaimed dividends or other moneys remaining on hand, specifying the name of the claimant to whom allowed, the last known address thereof and the amount due; to present said certified lists to said public examiner and superintendent of banks for an indorsement thereon of his order that said unclaimed dividends and other moneys shall be forthwith paid into the state treasury; to then forthwith pay into said state treasury the amount of such

Public examiner to notify receiver.

Lists in quadruplicate.

Order to pay into state treasury.

Lists filed with public examiner, auditor and treasurer.

Records and proof of claims.

Duty of liquidating officer, treasurer.

Release of claim.

Claimants must file application within ten years.

unclaimed dividends and other moneys so specified in said certified lists; to file with the said public examiner and superintendent of banks, state auditor and state treasurer one copy each of said certified lists, and to deposit with said public examiner and superintendent of banks any records and proofs concerning the claims upon which such dividends or other moneys remain unclaimed. The said records and proofs shall thereafter be kept by the public examiner and superintendent of banks, as a part of the state records pertaining to his office.

SEC. 3. Any receiver or other liquidating officer of such corporation or association receiving the order specified in section 2 shall at once comply therewith, and upon receipt of such dividends or other moneys therefrom by the state treasurer, it shall be the duty of the state treasurer to execute an itemized receipt therefor, upon one of said certified lists, for the moneys so as aforesaid paid into the state treasury. Such receipt, to such receiver or other liquidating officers, shall thereafter be and constitute a full and complete release, discharge and satisfaction of any claim or demand, upon such receiver or other liquidating officers, for or on account of the dividends or other moneys, so paid into said state treasury, upon account of such claims.

SEC. 4. At any time within ten years after any such dividend or other moneys shall have been paid into the state treasury, but not afterwards, any claimant named in said certified lists or the legal representative thereof may file an application with the public examiner and superintendent of banks for the payment to said claimant of the amount of said unclaimed dividend or other moneys, so paid into the state treasury upon account of said claimant, without interest, and upon proof that the claimant is entitled thereto, to the satisfaction of the governor, attorney general and public examiner and superintendent of banks, or to the satisfaction of any two of said officers, shall be entitled to an order from said last named officers, or any two of them, to the state auditor for a warrant upon the state treasury, in favor of said claimant, for the amount of money so paid into said state treasury, as being unclaimed by said claimant. Upon receipt of such order by the state auditor it shall be the duty of the latter to draw his warrant accordingly, in favor of such claimant or his legal representative, and it shall be the duty of the state treasurer thereafter to pay the same.

and there is hereby appropriated out of the state treasury the amount of money necessary to pay such warrant from the moneys so paid into said state treasury, by such receiver or other liquidating officer upon account of the claim for which said warrant is drawn.

At the end of ten years after said money has been so paid into the state treasury, as provided in section 2 of this act, if no claim has been filed therefor with the public examiner and superintendent of banks, it shall be the duty of that officer to so note upon his copy of the certified list aforesaid and to certify the fact to the state treasurer and state auditor, who shall thereupon make like entries upon their respective certified lists, and any further claim to said money shall thereafter be absolutely barred.

Claims
barred after
ten years.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved Feb. 13, 1903.

CHAPTER 15.

R

H. F. No. 100

An act to amend section six thousand and twenty-eight (6028) of the General Statutes of Minnesota 1894 relating to the limitation of the time within which proceedings may be commenced for the foreclosure of mortgages.

Be it enacted by the Legislature of the State of Minnesota,

SECTION 1. That section six thousand and twenty-eight (6028) of the General Statutes of Minnesota 1894 be and the same is hereby amended to read as follows:

Section 6028. Foreclosure by advertisement limitation.

Foreclosure
by advertise-
ment within
fifteen years
after maturity.

"Every mortgage of real estate heretofore or hereafter executed containing therein a power of sale, upon default being made in any condition of said mortgage, may be foreclosed by advertisement within fifteen (15) years after the maturing of such mortgage or the debt secured thereby in the cases and in the manner hereinafter specified," and said fifteen (15) years shall not be enlarged extended by reason of any non-residence, nor by reason any payment or payments made or applied upon the debt secured by such mortgage after the maturity of such debt.

Time not
extended.

SEC. 2. The provisions of this act shall not affect any foreclosure proceedings now pending.

SEC. 3. This act shall take effect and be in force from and after the 1st day of September, 1903.

Approved Feb. 13, 1903.

H. F. No. 10.

CHAPTER 16.

An act legalizing certain armory bonds heretofore voted to be issued by the city council or common council of any city, together with the ordinances relating thereto.

Be it enacted by the Legislature of the State of Minnesota,

Legalizing
armory bonds
issued.

SECTION 1. Any and all bonds of any city in the State of Minnesota, heretofore voted to be issued by the common council or city council of any such city assuming to act under a general law of this state for the purpose of providing or erecting armories for the national guard, and signed by the proper officials in office at the date thereof, though in excess of the limit fixed by law for the bonded indebtedness of such city, together with all ordinances authorizing the same or relating thereto, are hereby in all respects validated and legalized, and the bonds so voted and signed may be sold by the proper authorities for the purposes aforesaid, and when sold shall be and are hereby declared to be valid obligations of such city; *provided*, that in voting to issue said bonds such city council or common council has in other respects complied substantially with the provisions of the specific act of the Legislature of the State of Minnesota under which it assumed to act; and *provided further*, that the bonded indebtedness of such city shall not exceed, including the amount of said issue, but less the amount of the credit of any sinking fund existing in said city, 10 per cent of the assessed valuation of the taxable property of such city.

Provided,
substantial
compliance
with law.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Feb. 18, 1903.

CHAPTER 17. *R*

H. F. No. 18.

An act to amend sections 2994, 2995, 2996 and 2997 of the General Statutes of Minnesota for 1894, relating to the incorporation of Masonic bodies.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That sections 2994, 2995, 2996 and 2997 of the General Statutes of Minnesota for 1894 be and the same are hereby amended to read as follows, to-wit:

Section 2994. That any subordinate lodge of Free and Accepted Masons, or commandery of Knights Templar, instituted under the authority of the grand lodge of Free and Accepted Masons, or of the grand chapter of Royal Arch Masons, or of the Ancient and Accepted Scottish Rites Masons of the Southern jurisdiction of the United States, or grand commandery of Knights Templar of the State of Minnesota, or of the grand lodge, grand chapter or grand commandery of the United States, may become incorporated in the manner provided herein.

Section 2995. Such subordinate lodge, chapter of Royal Arch Masons, or commandery of Knights Templar, or lodge of Ancient and Accepted Scottish Rites Masons of the Southern jurisdiction of the United States shall cause to be prepared a certificate which shall contain.

First—The charter name and number of such lodge, chapter, commandery, or Ancient and Accepted Scottish Rites Masons of the Southern jurisdiction of the United States.

Second—The time when and the authority by which such lodge, chapter, commandery, or lodge of Ancient and Accepted Scottish Rites Masons of the Southern jurisdiction of the United States was instituted.

Third—The names of the charter members of such lodge, chapter, commandery, or lodge of Ancient and Accepted Scottish Rites Masons of the Southern jurisdiction of the United States.

Fourth—The name, if a lodge, of its worshipful master, senior warden, junior warden, and secretary; if a chapter, its high priest, king, scribe and secretary; if a commandery, of its eminent commander, generalissimo, captain general, and recorder; if a lodge of Ancient and Accepted Scottish Rites Masons of the South-

Masonic bodies.

Incorporation of subordinate lodges.

Certificate to contain name and number of lodge.

Time, when instituted.

Names of charter members.

Names of officers for current term.

Under seal
and duly
signed.

Record.

Body
corporate.

Surrender of
charter.

Winding up
business.

ern jurisdiction of the United States, of its venerable master, senior warden, junior warden, and secretary, for the current term of such lodge, chapter or commandery. Such certificate shall be under the seal of such lodge, chapter or commandery, and signed by the worshipful master, senior warden, junior warden, and secretary of such lodge, or by the high priest, king, scribe, and secretary of such chapter, or by the eminent commander, generalissimo, captain general, and recorder of such commandery, or by the venerable master, senior warden, junior warden, and secretary of such lodge of Ancient and Accepted Scottish Rites Masons of the Southern jurisdiction of the United States, and shall be recorded in the office of the register of deeds of the county where such lodge, chapter or commandery is located.

Section 2996. Upon filing such certificate in the office of such register, such lodge, chapter or commandery, or lodge of Ancient and Accepted Scottish Rites Masons of the Southern jurisdiction of the United States, shall become a body corporate under its charter name and number and shall have and possess all the powers of corporations at common law and shall have power to sue and be sued by its corporate name, and in such name to acquire or receive, by purchase, gift, grant, devise, or bequest, any property, real, personal, or mixed, and the same to hold, sell, transfer, mortgage, convey, loan, let, or otherwise use in accordance with the laws and usages of said order; but said corporation has no power to divert any gift, grant or bequest from the specific purpose designated by the donor.

Section 2997. Whenever the charter of any such lodge, chapter, or commandery, or lodge of Ancient and Accepted Scottish Rites Masons of the Southern jurisdiction of the United States, shall be surrendered to or taken away by said grand lodge, grand chapter, or grand commandery of this state, or whenever by the laws and usages of said orders such subordinate lodge, chapter, or commandery shall become defunct, the corporate powers of such lodge, chapter, or commandery shall cease and determine, except that such corporation, as such, shall have power to sell, convey, and dispose of its property, and collect debts due it and all such property and debts shall be delivered up to the grand lodge, grand chapter, or grand commandery of this state; or, in the discretion of

such grand lodges, be disposed of in accordance with the laws of said order.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Feb. 18, 1903.

CHAPTER 18.

H. F. No. 76.

An act providing that villages, boroughs or cities containing a population of ten thousand (10,000) inhabitants or less, may designate depositories for village, borough, or city moneys, and requiring the deposit of village, borough or city moneys in such depositories, and exempting the village, borough, or city treasurer from liability for such deposits.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. The common council, or any body answering thereto, of the several villages, boroughs or cities containing a population of ten thousand (10,000) inhabitants or less, in the state, whether organized and created under any general or special law, may, in their discretion, select and designate as a depository or depositories for village, borough or city moneys, any national, state or private bank or banks. Such depositories shall be required to execute and deliver good and sufficient bond, with two (2) or more sureties, in at least double the amount of the sums deposited and to be deposited, such bond to be executed to, and in favor of, the common council, or any body answering thereto, of such village, borough or city, and for the use of such village, borough or city. Such bond to be approved by the said common council, or any body answering thereto, and such common council, or any body answering thereto, may require all or any part of the village, borough or city moneys, as they may direct from time to time, to be deposited by the village, borough or city treasurer in the depository or depositories designated as aforesaid.

Villages, boroughs or cities of less than 10,000 may designate depositories.

Bonds.

Approval.

Such bank or banks shall be designated by such common council, or any body answering thereto, in such manner as they may deem best.

Such common council, or any body answering thereto, shall also have power to make such terms and conditions

Terms as to deposits.

as to deposits as to them shall deem for the best interests of the village, borough or city;

Time of
deposit.

Provided, that the length of time of such deposits, shall not exceed the term of office of such common council, or any body answering thereto, and that new depositories may be selected from time to time as the common council, or any body answering thereto, shall decide.

Designation
in writing.

And *provided further*, that all such designations of depositories shall be in writing, setting forth all the terms and conditions of the deposits to be made in pursuance thereof, and signed by the president and recorder of such common council, officers or members performing similar duties of any body answering thereto, for any such village, borough or city and the same shall be filed in the office of the clerk or recorder of any such village, borough or city.

Filed with
clerk.

Legal
depository.

That thereupon such bank shall become a legal depository for village, borough or city moneys, and thereafter the treasurer of any such village, borough or city shall deposit such village, borough or city moneys therein, as he shall be required from time to time to deposit by such common council, or any body answering thereto.

Treasurer
exempt from
liability.

SEC. 2. The village borough or city treasurer and the sureties on his bond shall be exempt from liability to the village, borough or city, by reason of the loss of any funds of such village, borough or city deposited in any such bank, from the failure, bankruptcy or other acts of such bank, to the extent and amount of such funds in such bank at the time of such failure or bankruptcy.

Interest.

SEC. 3. All interest on moneys deposited as hereinbefore provided, shall be and become the property of such village, borough or city.

SEC. 4. This act shall take effect and be in force from and after the 1st day of May, 1903.

Approved Feb. 20, 1903.

CHAPTER 19.

H. F. No. 54.

An act to amend chapter 361 of the Laws of 1901, relating to terms of the district court in and for Kanabec county, and for the hearing and trial of all matters, except issues of fact, by a jury.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter 361 of the laws of 1901, approved April 13th, 1901, be amended so as to read as follows:

Terms of court in Kanabec county, 1st district.

A general term of the district court in and for the county of Kanabec, in the First judicial district, shall be held in and for said county on the third Tuesday in August, in each year, for the trial and determination of both criminal and civil business and cases. *Provided*, that no grand or petit jury shall be drawn or summoned unless the court shall direct by a written order made and filed with the clerk of said court at least twenty days before the holding of said court.

Grand or petit jurors drawn by order of court.

SEC. 2. Cases on the calendar of said court for trial at such term may by the order of said court be continued to the next general term of said court.

Continuance of cases.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved Feb. 20, 1903.

CHAPTER 20.

S. F. No. 66.

An act relating to the tax paid by fire insurance companies upon premiums received by them in this state, and providing for the appropriation and expenditure thereof.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Every fire insurance company doing business in this state shall as a part of its annual statement, required by sections twelve (12) and thirteen (13) of title three (3), chapter one (1), of General Laws one thousand eight hundred and seventy-two (1872), incorporate therein a statement of the amount of cash premiums received in each city, town, village or other municipal corporation in the State of Minnesota, having an organized fire department.

Fire insurance companies.

Statement of cash premiums received in villages having fire department.

Duty of village clerk.

SEC. 2. The recorder or clerk of any city, town, village or other municipal corporation having an organized fire department shall, on or before the thirty-first (31st) day of October in each year, make and file with the insurance commissioner his certificate, stating the existence of such department, the number of steam, hand or other engines, hook and ladder trucks, hose carts and number of feet of hose in actual use, the number of organized companies, and the system of water supply in use in such department, together with such other facts as such insurance commissioner may require.

Commissioner's blanks.

SEC. 3. The insurance commissioner shall embody in his annual statement blank a blank form, with the names of the towns thereon entitled to benefits under this act, and require the companies to report at the time of making their annual statements the amount of premiums received by them during the year ending December thirty-first (31st) in each and all of the several towns named in said blank, and thereafter and before the first (1st) day of July, the insurance commissioner shall certify to the state auditor the names of the towns, cities, villages or other municipal corporations which have organized fire departments as reported to him under section two (2) of this act, and the amount of premiums received by said companies in each of said towns, cities, villages or other municipal corporations, and the amount of tax paid in such year by said companies upon such premiums.

Certify to state auditor.

State auditor to deliver warrants.

SEC. 4. The state auditor, at the end of the fiscal year, shall issue and deliver to the treasurer of any such city, town, village or other municipal corporation, his warrant upon the treasurer of state for an amount equal to the total amount of the existing two (2) per cent tax so paid by such fire insurance companies upon the premiums by them received in any such city, town, village or other municipal corporation as specified in the said certificate of said insurance commissioner.

State treasurer to pay to municipal treasurer.

SEC. 5. The treasurer of state is hereby authorized and directed to, and upon the presentation to him of the said warrant of said auditor, he shall pay to the treasurer of any such city, town, village or other municipal corporation, out of the general revenue fund of this state, the amount in such warrant specified.

Special fund.

SEC. 6. The amount so paid to any city, town, village or other municipal corporation under the provisions of

this act shall be by it set aside as a special fund, and may be appropriated and disbursed in the same manner that other funds belonging to such city, town, village or other municipal corporation, are appropriated or disbursed, but only for the following purposes, viz:

First—For the relief of sick, injured and disabled members of any fire department in such city, town, village or other municipal corporation, and their widows and orphans. Relief.

Second—For the payments of pensions for long service to retired members of any fire department in any such city, town, village or other municipal corporation of the state pursuant to the provisions of chapter fifty-five (55), General Laws of eighteen hundred and ninety-seven (1897), which are hereby re-enacted. Pension.

Third—For the equipment and maintenance of the fire department in any such city, town, village or other municipal corporation. Equipment of fire department.

Provided, that in case there exists or shall exist a fire department relief association duly organized or incorporated in any such city, town, village or other municipal corporation, said money due said city, town, village or other municipal corporation, as aforesaid, shall be paid to the treasurer of such relief association, instead of to the treasurer of such city, town, village or other municipal corporation. Fire department relief ass'n to receive money, if there be one.

But the secretary and treasurer of every such relief association shall prepare annually a report of all the receipts and expenditures of such association for the previous year, showing for what purpose the money has been paid and expended, and to whom, which report shall be filed in the office of the town, village or city clerk of the city, town, village or other municipal corporation in which such association is situated, and a duplicate of such report shall also be filed with the state auditor before any money shall be paid to any such relief association. The money paid to such relief association shall be expended only for the relief of sick, injured and disabled members of any fire department in such city, town, village or other municipal corporation, and their widows and orphans, and for the payment of pensions for long service to retired members of any fire department in any such city, town, village or other municipal corporation of the state pursuant to the provisions of chapter fifty-five (55), General Laws of Annual report of sec'y. and treasurer of relief ass'n.

Filing of report.

Moneys expended for what purposes.

eighteen hundred and ninety-seven (1897). For the purposes of this act no substitute fireman or any one serving on probation, or any fireman in a city, town or village having a relief association in its fire department, who is not a member of such relief association, shall be deemed to be a fireman within the meaning of this act. The treasurer of every such relief association, before entering upon the duties of his office, shall give a good and sufficient bond to said relief association, conditioned for the faithful discharge of the duties of his office, and for the safe keeping and paying over, according to law, of all moneys which come into his hands as such treasurer.

Bond.

Provided further, that no such moneys shall be paid to any such relief association hereafter organized unless such organization is made with the consent of the council or board of trustees of the city, village or town to which the organization belongs.

Consent of council.

And *provided further*, that it shall be the duty of the public examiner, and he is hereby authorized and empowered, when complaint is duly made to him, that the money or any part thereof paid under the provisions of this act, to the treasurer of any city, town, village or other municipal corporation, or to any of said relief associations, has been or is being expended for purposes other than as aforesaid, to examine the books and financial accounts of the treasurer of such city, town, village or other municipal corporation, or of such relief association, and if said complaint be found true, to report the same to the governor. The governor shall thereupon direct the state auditor not to issue any warrant for the benefit of such city, town, village or other municipal corporation or to such relief association until it shall be made to appear to the public examiner, who shall report the fact to the governor that all moneys wrongfully expended as aforesaid has been properly replaced. And the governor may take such further action as the emergency may demand. Said public examiner is further authorized and empowered at any time, in his discretion, to examine the books and financial accounts of the treasurer of any such city, town, village or other municipal corporation, or of any relief association receiving part of said tax and make a report thereof to the governor with his recommendation. And the governor is authorized and empowered to take such action as to him seems proper.

Duty of public examiner.

Duty of governor and state auditor.

SEC. 7. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved Feb. 20, 1903.

CHAPTER 21.

H. F. No. 135.

An act to legalize certain county bonds heretofore voted and sold under chapter 297 of the General Laws of the State of Minnesota for the year 1895.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That in all cases where the electors of any county having voted the issue of the bonds of said county, and where, pursuant to said vote, the county commissioners of said county, have after due advertisement sold the bonds of said county for the purpose of constructing and repairing roads and bridges pursuant to chapter 297 of the General Laws of the State of Minnesota for 1895, approved April 5, 1895, and such bonds are defective because the provisions of said chapter authorizing the issue of such bonds to an amount not to exceed 2% of the taxable property valuation of the county is inconsistent with chapter 289 of the laws of 1895, approved April 19, 1895, limiting the amount for which bonds may be issued for the construction of wagon roads and bridges not to exceed 1 % of the assessed valuation of the county; the bonds so voted and sold are hereby in all respects legalized and made authorized, and are made binding and valid obligations of the county which has voted and sold the same, according to the terms and at the rate of interest in such bond sale; *provided, however*, that the time when said bonds shall be payable and the rates of interests which said bonds shall bear, are within the limits prescribed by law in such case made; and *provided, further*, that this act shall not effect any suit now pending relative to the legality of any bonds so issued.

Legalizing
county bonds
voted under
ch. 297, 1895.

Provisos.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 3, 1903.

R

An act authorizing cities to accept, acquire and hold property by gift, grant or devise, and to manage and control the same.

Be it enacted by the Legislature of the State of Minnesota :

Cities
authorized
to accept
gifts, etc.

SECTION 1. Any incorporated city in the State of Minnesota, now or hereafter organized, shall have the power, and it is hereby authorized to accept, take, acquire the title to, and hold by gift, grant or devise, any real property situate within the limits of such city, together with the buildings thereon and personal property furnishing or equipping the same, which may be to it given, devised, granted or in any manner conveyed or transferred by any person or corporation having a right to so dispose of the same.

For use and
benefit of
city.

Any such city shall also have the power and is hereby authorized to hold, manage, control, maintain and preserve such property, for the use and benefit of such city and the residents thereof, in such manner, and upon such terms and conditions, and with such restrictions, and for such purposes, other than those of a purely religious or sectarian character, as may be stated or provided in the instruments or instrument by which such property is so conveyed or transferred to such city.

Acceptance.

SEC. 2. Before any such conveyance or transfer shall become operative or the title to such property vested in such city, a resolution reciting and accepting the terms, conditions, restrictions and purposes thereof as aforesaid shall be adopted by an affirmative vote of at least two-thirds of all the members of the city council of such city at a meeting thereof, and be approved by the mayor thereof, and recorded in full in the official records of the meetings of said council.

Public
property.

Such resolution so adopted, approved and recorded shall constitute upon the part of such city an acceptance of such terms, conditions, restrictions and purposes, and shall be a valid contract between such city and the donor of such property, his heirs, or successors or assigns.

SEC. 3. Such property shall for all purposes and so long as the title thereto remains in such city be held to be

property owned by such city and used exclusively for public purposes, and shall be exempt from taxation.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 3, 1903.

CHAPTER 23.

An act to amend Chapter 346, General Laws of 1901, entitled "An act to determine the descent of real estate in certain cases and to assign the same and make a record thereof."

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Section 1 of chapter 346, General Laws of 1901, is hereby amended so that the same shall read as follows:

Section 1. Whenever it shall appear by the petition of any person, claiming any interest in real property, to the probate court of any county, wherein said real property or any part thereof is situated, that more than five years have passed since the death of any person who died owning said real property or some interest therein, and that no will has been probated and no administration granted in this state upon the estate of such decedent, it shall be the duty of the probate court to issue its order for hearing on such petition, and the same shall be served and published as provided by law for the service and publication of notice for hearing of petitions for final decrees in said court, and such petitions shall be heard in like manner with the petitions for such final decrees.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 3, 1903.

H. F. No. 115.

Descent of
real estate.

1903
03 c 23
98-M 118
107-NW 148
7-CL
1391 n35
7-CL
1467 n88

Petition of
person
claiming
interest.

Order for
hearing,
service and
publication.

H. F. No. 254.

CHAPTER 24.

Municipal
bonds.

An act to authorize and empower the city council or common council of cities in this state of over 50,000 inhabitants to issue and sell municipal bonds and to use the proceeds thereof for defraying the cost of making certain local improvements in advance of the collection of the special assessment levied therefor and to provide for ascertaining, reporting and supplying any impairment or depletion of the fund into which the proceeds of said bonds come.

Be it enacted by the Legislature of the State of Minnesota :

City council
in cities of
over 50,000
may issue
bonds in cer-
tain cases.

SECTION 1. The city council or common council of each and every city in this state now or hereafter having over 50,000 inhabitants, in addition to all the rights and powers heretofore granted thereto by law, is hereby authorized and empowered for the purposes herein designated, to issue from time to time as needed, the negotiable bonds of their respective city to an amount in the aggregate not to exceed three hundred and fifty thousand dollars (\$350,000.00), said bonds to be made in such denominations and payable at such places and at such times, not to exceed ten years from the date thereof, as may be deemed best, and to bear interest at a rate not to exceed three and one-half ($3\frac{1}{2}$) per cent per annum, payable semi-annually and to have interest coupons attached, payable at such place or places as shall be designated therein, and said city council or common council, as the case may be, is further authorized to negotiate and sell such bonds from time to time to the highest bidder or bidders therefor and upon the best terms that can be obtained for said bonds. *Provided*, that no such bonds shall be sold for a less amount than the par value thereof and accrued interest thereon; and *provided further*, that said bonds shall not be issued until the issuance thereof is authorized by resolution duly passed by a five-sixths vote of all the members of the city council or common council proposing to issue the same; and no bonds shall be issued under the provisions of this act after six months from the date of its passage.

Sale of
bonds, not
less than
par and
interest.Resolution
requires 5-6
vote.

Limitations.

SEC. 2. Nothing herein contained shall authorize the issue at any time of the bonds of any such city to such an

amount that the whole amount of the principal of the bonds actually issued by such city and still outstanding, including water and light bonds, together with the proposed issue, less the amount of the bonds of such city which shall be in and constitute a part of the sinking fund of such city for the payment of bonds, shall exceed ten per cent of the assessed valuation of the non-exempt taxable property of such city as shown by the last preceding assessment.

SEC. 3. All bonds issued under authority of this act shall be sealed with the seal of the city issuing the same and signed by the mayor and attested by the clerk or recorder and countersigned by the city comptroller, if such officer exists in such city. The proceeds of any and all bonds issued and sold under authority of this act shall be placed in the city treasury of the city issuing the same, and shall constitute a special fund and shall be kept distinct from all other funds of the city except from funds used for the same purpose, and shall be used only for the purpose of paying to the amount of the special assessment duly assessed and levied therefor and in advance of the collection of such assessment, (1) the cost of paving, repairing or macadamizing any public street, lane or alley in such city; (2) the cost of any gutter or gutters along any such street, lane or alley; (3) the cost of laying any curb stone along any such street, lane or alley; (not including sidewalk proper on any such street, lane or alley); (4) the cost of laying, relaying or extending any sewer pipes in or through any such street, lane, alley or other public grounds or any portion thereof; and the proceeds of said bonds or any thereof shall not be used for any other purposes than those hereinbefore specified.

All said assessments, the amounts of which have been advanced from the special fund hereby created, and used pursuant to the provisions of this act for paying the cost of local improvements for which such assessments are levied, shall, together with all penalties and accrued interest thereon, when collected, be paid into the city treasury to the credit of the special fund hereby created, and the same shall be and become a part of said special fund and shall be used only for the purposes of said special fund as hereinbefore expressly provided

SEC. 4. It shall be the duty of the city comptroller of said cities, or other officer having like duties in case there

Under seal and proper execution.

Proceeds of sale to constitute special fund.

Used for special purposes.

Assessments when collected to be paid into city treasury—special fund.

Duty of comptroller or like officer.

Special
assessments.

Transfer of
funds.

be no city comptroller, to ascertain annually, at the end of each calendar year, to what extent, if any, the whole special fund in which said proceeds of said bonds is placed and of which fund said proceeds form all or any part, has been impaired or depleted by the annulment of assessments or other cause, and shall state in his annual report the amount of cash in the city treasury belonging to said fund, the amount of uncollected and unimpaired assessments due and to become due to said fund, together with the amount of said impairment or depletion of said fund, if any, the same to be itemized under the respective causes of such impairment or depletion. In case said impairment or depletion of said fund, or any part thereof, arose by reason of any such special assessment being less than the actual cost of the improvement for which the assessment was made, it shall be the duty of the proper officer or officers of such city, and they are hereby empowered to cause a new and additional special assessment to be made against the property which was underassessed, so as to bring the whole assessment against said property up to the actual cost of such improvement. In case any portion of said impairment or depletion so ascertained arose from other cause than such underassessment, it shall be the duty of the city comptroller or other proper officer or officers of such city, to transfer from the permanent improvement funds of such city to said impaired or depleted fund the amount of such impairment and depletion arising from such other cause. In case any such city has no fund designated as a permanent improvement fund, then such transfer shall be made from any funds of such city available for public improvements, and if there should not then be sufficient permanent improvement funds or other such funds available for such transfer, then such transfer shall be made out of the first funds thereafter coming into the fund from which said transfer is herein required to be made; *provided, however*, that this act shall not be construed to require any such reassessment nor any such transfer except for such impairment or depletion as arises after the proceeds of any of said bonds have come into said special fund.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 3, 1903.

CHAPTER 25. *R*

H. F. No. 4.

An act proposing an amendment to section six (6), of article eight (8), of the Constitution of the State of Minnesota, relating to school funds, education and science.

Proposed
constitutional
amendment.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The following amendment to section six (6), of article eight (8), of the Constitution of the State of Minnesota, is hereby proposed to the people of the State of Minnesota for their approval or rejection, that is to say, said section shall be amended to read as follows:

Sec. 6 of art.
8 of const.

Section 6. The permanent school and university fund of this state may be invested in the bonds of any county, school district, city, town or village of this state, but no such investment shall be made until approved by the board of commissioners designated by law to regulate the investment of the permanent school fund and the permanent university fund of this state; nor shall such loan or investment be made when the bonds to be issued or purchased would make the entire bonded indebtedness exceed fifteen (15) per cent of the assessed valuation of the taxable real property of the county, school district, city, town or village issuing such bonds; nor shall such loans or indebtedness be made at a lower rate of interest than three (3) per cent per annum, nor for a shorter period than five (5) years, nor for a longer period than twenty (20) years, and no change of the town, school district, city, village, or of county lines shall relieve the real property in such town, school district, county, village or city in this state at the time of the issuing of such bonds from any liability for taxation to pay such bonds.

Investment
of permanent
school and
university
funds.

Approval.

Bonded in-
debtedness
not to ex-
ceed 15 per
cent, draw
not less
than 3 per
cent, run not
less than 5
nor more
than 20
years.

SEC. 2. This proposed amendment shall be submitted to the people of this state for their approval or rejection at the general election occurring next after the passage of this act, and the qualified electors, of this state in their respective districts may at such election vote for or against such amendment by ballot; and the returns thereof shall be made and certified within the time, and such votes canvassed and the result thereof declared in the manner provided by law with reference to the election of state officers, and if it shall appear thereupon that a majority of all the electors voting at said election, as provided in the next

Submission
to voters.

section, have voted in favor of the same, then the governor shall make proclamation thereof, and such amendment shall take effect and be in force as a part of the Constitution.

Reading of
ballot.

SEC. 3. The ballots used at said election on said amendment shall have printed thereon, "Amendment to section six (6), of article (8), of the Constitution providing for loaning the permanent school or university funds to or the purchase of bonds of cities, villages, towns, counties and school districts, Yes—No," and each elector voting on said amendment shall place a cross mark thus (x) in a space to be left opposite either the word "Yes" or the word "No," and shall be counted for or against the proposition in accordance with the expressed will of the elector, as provided by the election laws of the state.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 3, 1903.

S. F. No. 45.

CHAPTER 26.

R

A bill for an act to amend chapter 239 of the General Laws of 1897, as amended by chapter 59 of the General Laws of 1899, entitled "An act to permit voters of any township in this state to hold their elections within an incorporated village when such village is located in said town."

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one (1) of chapter two hundred and thirty-nine (239) of the General Laws of one thousand eight hundred and ninety-seven (1897) as amended by chapter fifty-nine (59) of the General Laws of one thousand eight hundred and ninety-nine (1899), be and the same is hereby amended so as to read as follows:

Voters in
township
may hold
election in
incorporated
village or
city of less
than 10,000.
Proceedings.

Section 1. That whenever a majority of the legal voters if any township in this state shall petition the board of supervisors of such town to change the place of holding elections from where last held to an incorporated village, or to an incorporated city containing less than ten thousand inhabitants, located in whole or in part within such town, then said supervisors may procure a suitable hall

or building in such village or city where the voters of such township shall hold their elections; and said township shall have power to purchase and own necessary real estate in such incorporated village or city for such purpose; *provided, however*, that no village or city election shall be held in hall, or place so procured by said town for election purposes.

SEC. 2. That section two (2) of chapter two hundred and thirty-nine (239) of the General Laws of one thousand eight hundred and ninety-seven (1897), be and the same is hereby amended by inserting after the word "village" occurring in the third line of said section two (2) the words "or city."

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 3, 1903.

CHAPTER 27.



S. F. No. 12.

An act to amend section 254 of chapter 46 of the General Laws of the State of Minnesota for the year 1889, relating to appeals from Probate Court.

Probate
court
03 c 27
96-M - 484
105-NW 677

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 254 of chapter 46 of the General Laws of the State of Minnesota for the year 1889 be amended so as to read as follows:

Section 254. In all other cases the appeal can only be taken by a party aggrieved who appeared and moved for or opposed the order or judgment appealed from; or who, being entitled to be heard thereon, did not appear and take part in said proceedings.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 3, 1903.

Appeals.

S. F. No. 110.

CHAPTER 28.

R

Incorporation
of villages.

An act to amend sections twenty-three (23) and twenty-seven (27) of chapter one hundred and forty-five (145) of the General Laws of 1885, the same being sections 1240 and 1244 of the General Statutes of 1894, relating to the incorporation of villages and to their powers and duties.

Powers and
duties.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section twenty-three (23) of chapter one hundred and forty-five (145) of the General Laws of 1885, being section 1240 of the General Statutes of 1894, be and the same is hereby amended so as to read as follows :

Intended
improvements.

Section 23. Whenever the village council shall intend to erect or construct any pumps, water mains, reservoirs, engine houses or other water works, or, to lay out and open, change, widen or extend any street, lane, alley, public grounds, square or other places, or to construct and open, alter, enlarge or extend drains, canals or sewers, or alter, widen or straighten water courses therein, or take ground for the use or improvement of a harbor, and it shall be necessary to take private property therefor, they shall cause an accurate survey and plat thereof to be made and filed with the recorder, and they may purchase or take by donation such grounds as shall be needed, by agreement with the owners, and take from them conveyances thereof to the village for such use or in fee; but otherwise they shall, by resolution, declare their purpose to take the same, and therein describe by metes and bounds the location of the proposed improvements, and the lands proposed to be taken therefor, defining separately each parcel and the amount thereof owned by each distinct owner, mentioning the names of owners or occupants, so far as known, and therein fix a day, hour and place, when and where they will apply to a justice of the peace, resident in such village, for a jury to condemn and appraise the same. They shall thereupon cause to be made by the recorder, a notice of the adoption of such resolution embracing a copy thereof and notifying all parties interested, that the council will, at the time and place named, apply to the justice named for the appointment of a jury to condemn and appraise such land. A copy

Taking of
private
property,
survey and
plat, filing
and record,
purchase,
donation,
or con-
demnation.Notice of
con-
demnation.

of such notice shall be served by any constable on the owner of each such parcel of land to be taken, if known and resident within the county; such service to be made in the manner prescribed for serving a summons in justice court, and the return of the officer shall be conclusive evidence of the fact stated therein. If the notice cannot be so given as to all the parcels, then the same shall be also published once in each week for three (3) successive weeks in a newspaper published in such village or county; and the affidavit of the printer or foreman of such newspaper shall be conclusive evidence of such publication. Such notice shall be served, and such publication made for three (3) weeks, complete at least one (1) week before the time fixed therein for such application. If any person so served with notice shall be a minor, or of unsound mind, the justice, before proceeding, shall, on the day fixed for hearing such application, appoint for him a guardian for the purpose of such proceeding, who shall give security to the satisfaction of the magistrate, and act for such ward.

Service of
notice.

By
publication.

In case of
minors.

SEC. 2. That section twenty-seven (27) of said chapter one hundred and forty-five (145) of the General Laws of 1885, the same being section 1244 of the General Statutes of 1894, be and the same is amended so as to read as follows:

Section 27. If the verdict of the jury first called find it necessary to take such land or any part thereof, the village board may, upon return thereof to the recorder, enact an ordinance in accordance therewith, for erecting or constructing any such pumps, water mains, reservoirs, engine houses or other waterworks, or for laying out, changing, widening or extending and opening any such street, lane, alley, public ground, square or other public place, or constructing and opening, altering, enlarging or extending any such drains, canals or sewers, or altering, widening or straightening any such water course, or for the use or improvement of a harbor, but shall not enter upon any such land therefor until the owner be paid in full or the damages be set apart for him in the hands of the treasurer, and an order therefor lawfully executed to him be deposited with the clerk to permanently remain subject to his order. At any time before causing any such land to be actually taken or put to public use, and before the rendition of a judgment in the district court for dam-

Ordinance
in accordance with
verdict of
jury.

Owner of
condemned
property to
be paid in
full.

Discontinu-
ance of pro-
ceedings.

ages, the village board may discontinue all proceedings theretofore taken, and the village shall in such event be liable for the costs only. All the costs of every such proceedings shall be paid by the village, except when it recover costs in the district court.

Liability
of cost.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 4, 1903.

S. F. No. 83.

CHAPTER 29.

R

Waterworks
and lights.

An act to amend section one (1) of chapter one hundred and ninety-six (196) of the General Laws of the year one thousand eight hundred and ninety-three (1893), entitled "An act to provide for waterworks and lights in all villages in the state operating under special or general laws of this state," being section twelve hundred and twenty-five (1225), General Statutes of one thousand, eight hundred and ninety-four (1894).

Be it enacted by the Legislature of the State of Minnesota:

Amends
ch. 196, 1893.

SECTION 1. That section one (1) of chapter one hundred and ninety-six (196) of the laws of the year one thousand, eight hundred and ninety-three (1893), being section twelve hundred, twenty-five (1225) General Statutes of one thousand eight hundred and ninety-four (1894), be and the same is hereby amended so as to read as follows:

Villages
may provide
for water-
works and
light.

Section 1. That all villages now or hereafter organized under the special or general laws of this state shall have power to make, erect, establish, purchase, lease and control waterworks for the supply of water for public and private use in said village; also purchase, lease, build, establish and control all necessary buildings, machinery, apparatus and material for making, generating and supplying light for public and private use in said villages.

Proceedings
first sub-
mitted to
vote.

Provided, that in all proceedings under this act the question of establishing such waterworks or such light plants, or the purchase or leasing of the same, shall first be submitted to a vote of the people of such village in the same manner as shall be provided by law for the issuing of municipal bonds for lawful public improvements; and *provided, further*, that the question of establishing such waterworks and such electric light plants, or the purchas-

ing or leasing of the same, and the question of issuing the bonds of such village to raise money in payment therefor, may be submitted to the electors of such village in one proposition.

Both propositions submitted under one.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 4, 1903.

CHAPTER 30.

R

S. F. No. 178.

An act to amend section one (1) of chapter one hundred thirty-four (134) of the General Laws of Minnesota for the year 1899, as amended by section one (1) of chapter sixty-seven (67), General Laws of Minnesota for the year 1902, relating to salaries of district judges.

Salaries of district judges.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one (1) of chapter one hundred thirty-four (134) of the General Laws of Minnesota for the year 1899, as amended by section one (1) of chapter sixty-seven (67) of the General Laws of Minnesota for the year 1902, be and the same hereby is amended so as to read as follows:

Section 1. The judges of the district court shall each receive a salary of three thousand five hundred dollars (\$3,500) per annum; \$3,500.

Provided, That when any county shall have a population of seventy-five thousand (75,000) or more, there shall be paid annually by each said county out of the county funds to each of the said judges of the district court of such county the sum of fifteen hundred dollars (\$1,500) in addition to the said sum of three thousand five hundred dollars (\$3,500); and all salaries and compensation of the judges of the district court of this state shall be payable monthly; subject, however, to the provisions of chapter forty-seven (47) of the General Laws of this state for the year 1901.

In counties of 75,000 and over \$1,500 additional.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 4, 1903.

S.F. No. 7.

Legalizing
certain in-
corporations

CHAPTER 31.

An act to legalize certain incorporation of villages under chapter one hundred forty-five (145) of the General Laws of one thousand eight hundred and eighty-five (1885), and the several acts amendatory thereof, and to legalize any and all conveyances from and to such incorporations, and any ordinances, resolutions or by-laws adopted or taxes levied by such village.

Be it enacted by the Legislature of the State of Minnesota:

Attempted
organization
legalized.

SECTION 1. That in all cases where there has been heretofore an attempted formation and organization of a village under the provisions of chapter one hundred and forty-five (145) of the General Laws of eighteen hundred and eighty-five (1885) and the several acts amendatory thereof, and the petition, copy of notice of election and certificate of inspectors of election filed in the office of the register of deeds of the proper county, and said village has in fact proceeded to act as an incorporated village, and transact and carry on business as such village, in the corporate name assumed by it, such attempted formation and organization of such village, under the name assumed, in each and every such case is hereby legalized and declared a valid and effectual formation and organization of such village, under the name assumed, from and after the time of the actual filing as aforesaid of such petition, copy of notice of election and certificate of inspectors of election, notwithstanding the omission of any matter or thing by law prescribed to be done or observed in such formation or organization and notwithstanding any defect in such petition, notice of election or certificate of inspectors of election. And any and all conveyances of property, real or personal, in good faith and lawful form, made to or by any such village under the corporate name so assumed, and any ordinances, resolutions or by-laws adopted, or taxes levied by such village, are hereby legalized and declared as valid and effectual as if such village had been originally in all things duly and legally incorporated.

Convey-
ances, ordi-
nances de-
clared valid.

Provided, nothing herein shall affect any action or proceeding now pending.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 4, 1903.

CHAPTER 32.

S. F. No. 78.

An act providing for the filing and recording in offices of registers of deeds, or registration in offices of registrars of titles, of instruments relating to standing timber, stone, ores, minerals, or similar property, in place in or upon the earth, and making the record or registration thereof notice of the contents of such instruments after, as well as before, the severance of such property from the land.

Instruments relating to standing timber, stone, ores, etc.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. Any instrument in writing heretofore or hereafter executed and delivered by way of lease, mortgage, conveyance, or in any other form, which relates in whole or in part to, or in any manner affects, standing timber, or stone, ores, minerals, or any other similar property in the State of Minnesota, in place in or upon the earth, may, if duly witnessed and acknowledged in manner required for conveyances of real property, be filed for record, and, when so filed, shall be recorded, in the office of the register of deeds of the county in which such timber, stone, ores, minerals or other property may be situated; or, if the title to the lands upon which such property may be situated shall have been registered under the provisions of chapter two hundred thirty-seven (237) of the Laws of Minnesota of 1901, commonly known as the Torrens land title act, said instrument may be registered in the county where said property is situated, in the manner in said act prescribed; and the record or registration of every such instrument heretofore or hereafter filed for record, or registered, as provided in this act, shall be full and sufficient notice of the contents thereof, from the day of such filing or presentation for registration, to any and all persons and parties, and full and sufficient notice of the rights of all parties, as shown by such instrument, in and to such property, as well after the severance or separation of such property from the land as before such severance or separation; *Provided, however*, that this act shall not affect any action or other legal proceeding now pending.

Record of.

With register of deeds in county.

Under Torrens system.

Proviso.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 6, 1903.

S. F. No. 71.

Public
libraries
and reading
rooms.CHAPTER 33. *R*

An act to amend section one thousand four hundred and twenty-five (1425) of the General Statutes 1894, relating to public libraries and reading rooms.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The section one thousand four hundred and twenty-five of the General Statutes 1894, be and the same is hereby amended by striking out the words "one mill" where they occur in the fourth (4th) line of said section, and inserting in lieu thereof the words "two mills."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 6, 1903.

H. F. No. 32.

Local im-
provements
in cities of
over 50,000.CHAPTER 34. *R*

An act to authorize and empower the city council and common council of cities of this state of over 50,000 inhabitants to issue and sell municipal bonds and to use the proceeds thereof for defraying the cost of making certain local improvements in intersections of streets and in front of property exempt by law from special assessments.

Be it enacted by the Legislature of the State of Minnesota:

City or
common
council may
issue bonds
not to
exceed
\$150,000,
not to
run more
than ten
years.

SECTION 1. The city council or common council of each and every city in this state now or hereafter having over 50,000 inhabitants, in addition to all the rights and powers heretofore granted thereto by law, is hereby authorized and empowered, for the purposes herein designated, to issue from time to time as needed the negotiable bonds of their respective city to an amount in the aggregate not to exceed one hundred and fifty thousand dollars (\$150,000), said bonds to be made in such denominations and payable at such places and at such times not to exceed ten years from the date thereof as may be deemed best, and to bear interest at a rate not to exceed three and one-half (3½) per cent per annum, payable semi-annually and to have interest coupons attached, payable at such place or places as shall be designated there-

in, and said city council or common council, as the case may be, is further authorized to negotiate and sell such bonds from time to time to the highest bidder or bidders therefor and upon the best terms that can be obtained for said bonds. *Provided*, that no such bonds shall be sold for a less amount than the par value thereof and accrued interest thereon; and, *provided further*, that said bonds shall not be issued until the issuance thereof is authorized by a resolution or ordinance duly passed by a five-sixths vote of all the members of the city council or common council proposing to issue the same; and no bonds shall be issued under the provisions of this act after the expiration of six months from the date of its passage.

Not less
than par.

Authorized
by resolution,
5-6 vote.

Not after
Sept. 6, 1903.

SEC. 2. Nothing herein contained shall authorize the issue at any time of the bonds of any such city to such an amount that the whole amount of the principal of the bonds actually issued by such city and still outstanding, including water and light bonds together with the proposed issue, less the amount of the bonds of such city which shall be in and constitute a part of the sinking fund of such city for the payment of bonds, shall exceed 10 per cent of the assessed valuation of the non-exempt taxable property of such city as shown by the last preceeding assessment.

Not to
exceed 10
per cent of
assessed
valuation,
exception.

SEC. 3. All bonds issued under authority of this act shall be sealed by the seal of the city issuing them and signed by the mayor and attested by the clerk or recorder and countersigned by the city controller, if such officer exists in such city. The proceeds of any and all bonds issued and sold under authority of this act shall be placed in the city treasury of the city issuing the same and shall constitute a special fund and shall be kept distinct from all other funds of the city and shall be used only for the purposes of paying for the cost of paving, repaving or macadamizing in street intersections, and the cost of constructing curb and gutter in street intersections, and also the cost of laying or relaying of sewer pipes in the intersections of streets, and the cost of paving, repaving or macadamizing in front of property exempt by law from special assessments, and the cost of constructing curb and gutter in front of property exempt by law from special assessments, and also the cost of laying, relaying or extending sewer pipes in front of property exempt by law

How
issued.

Special
fund.

Used only
for special
purpose.

S. F. No. 71.

CHAPTER 33. *R*Public
libraries
and reading
rooms.

An act to amend section one thousand four hundred and twenty-five (1425) of the General Statutes 1894, relating to public libraries and reading rooms.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The section one thousand four hundred and twenty-five of the General Statutes 1894, be and the same is hereby amended by striking out the words "one mill" where they occur in the fourth (4th) line of said section, and inserting in lieu thereof the words "two mills."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 6, 1903.

H. F. No. 32.

CHAPTER 34. *R*Local im-
provements
in cities of
over 50,000.

An act to authorize and empower the city council and common council of cities of this state of over 50,000 inhabitants to issue and sell municipal bonds and to use the proceeds thereof for defraying the cost of making certain local improvements in intersections of streets and in front of property exempt by law from special assessments.

Be it enacted by the Legislature of the State of Minnesota:

City or
common
council may
issue bonds
not to
exceed
\$150,000,
not to
run more
than ten
years.

SECTION 1. The city council or common council of each and every city in this state now or hereafter having over 50,000 inhabitants, in addition to all the rights and powers heretofore granted thereto by law, is hereby authorized and empowered, for the purposes herein designated, to issue from time to time as needed the negotiable bonds of their respective city to an amount in the aggregate not to exceed one hundred and fifty thousand dollars (\$150,000), said bonds to be made in such denominations and payable at such places and at such times not to exceed ten years from the date thereof as may be deemed best, and to bear interest at a rate not to exceed three and one-half (3½) per cent per annum, payable semi-annually and to have interest coupons attached, payable at such place or places as shall be designated there-

in, and said city council or common council, as the case may be, is further authorized to negotiate and sell such bonds from time to time to the highest bidder or bidders therefor and upon the best terms that can be obtained for said bonds. *Provided*, that no such bonds shall be sold for a less amount than the par value thereof and accrued interest thereon; and, *provided further*, that said bonds shall not be issued until the issuance thereof is authorized by a resolution or ordinance duly passed by a five-sixths vote of all the members of the city council or common council proposing to issue the same; and no bonds shall be issued under the provisions of this act after the expiration of six months from the date of its passage.

Not less
than par.

Authorized
by resolution,
5-6 vote.

Not after
Sept. 6, 1903.

SEC. 2. Nothing herein contained shall authorize the issue at any time of the bonds of any such city to such an amount that the whole amount of the principal of the bonds actually issued by such city and still outstanding, including water and light bonds together with the proposed issue, less the amount of the bonds of such city which shall be in and constitute a part of the sinking fund of such city for the payment of bonds, shall exceed 10 per cent of the assessed valuation of the non-exempt taxable property of such city as shown by the last preceeding assessment.

Not to
exceed 10
per cent of
assessed
valuation,
exception.

SEC. 3. All bonds issued under authority of this act shall be sealed by the seal of the city issuing them and signed by the mayor and attested by the clerk or recorder and countersigned by the city controller, if such officer exists in such city. The proceeds of any and all bonds issued and sold under authority of this act shall be placed in the city treasury of the city issuing the same and shall constitute a special fund and shall be kept distinct from all other funds of the city and shall be used only for the purposes of paying for the cost of paving, repaving or macadamizing in street intersections, and the cost of constructing curb and gutter in street intersections, and also the cost of laying or relaying of sewer pipes in the intersections of streets, and the cost of paving, repaving or macadamizing in front of property exempt by law from special assessments, and the cost of constructing curb and gutter in front of property exempt by law from special assessments, and also the cost of laying, relaying or extending sewer pipes in front of property exempt by law

How
issued.

Special
fund.

Used only
for special
purpose.

from special assessments, and also for the increased cost of sewers which are larger than two feet in diameter; and the proceeds of said bonds or any thereof shall not be used for any other purpose than those hereinbefore specified.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 6, 1903.

H. F. No. 207.

CHAPTER 35.

Bridge
across Root
river in
Houston
county.

An act to amend section thirty-one (31) of chapter three hundred and nine (309) of the laws of 1901, relating to the appropriation for building a bridge across Root river, in the township of Mound Prairie, Houston county, Minnesota.

Be it enacted by the Legislature of the State of Minnesota

SECTION 1. That section 31 of chapter 309 of the laws of 1901 be amended to read as follows:

\$500.

That the sum of five hundred dollars (\$500) is hereby appropriated out of any moneys in the state treasury belonging to the internal improvement fund, or out of the first moneys which shall come into the state treasury belonging to said fund, not otherwise appropriated to aid in repairing or rebuilding, as the case may be, a bridge over Root river, in the township of Mound Prairie, Houston county, Minnesota, at a point in section thirty-one (31), township one hundred and four (104), range five (5), Houston county, Minnesota.

Direction
of town
supervisors.

That said sum shall be expended under the direction of the supervisors of Mound Prairie township, and when said work is completed said supervisors shall certify the fact to the state auditor, who shall draw his warrant upon the state treasurer, for said amount in favor of said town.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 6, 1903.

CHAPTER 36.

H. F. No. 112.

An act to authorize the issuing of bonds by organized towns for the purpose of building roads, bridges and town halls.

Be it enacted by the Legislature of the State of Minnesota.

SECTION 1. Every organized town in this state is hereby authorized to issue bonds for the purpose of raising money for the purpose of building roads, bridges and town halls within such organized town by conforming to the provisions of this act.

Organized towns authorized to issue bonds for building roads, bridges and town halls, proceedings.

SEC. 2. Whenever the town supervisors of any organized town in this state shall determine, by resolution duly passed and recorded, to raise the amount of money stated in such resolution for the purpose of building roads, bridges and town halls in said town, said resolution to describe definitely where such roads, bridges or town halls are proposed to be built; or when a petition addressed to the town supervisors of any organized town, and signed by at least ten (10) of the voters and freeholders residing in such town, setting forth in such petition that it is the desire of such petitioners that such town shall build certain roads, bridges or town halls within the said town, the location of said proposed roads, bridges or town halls being definitely described in said petition, the cost whereof shall not exceed the amount named in said petition, it shall be the duty of such town supervisors to cause the proposition expressed in such resolution or petition to be submitted to the electors of such town at the next following annual town meeting to be held therein or at such special election as the said town supervisors shall by resolution designate. Notices of such election shall be posted in at least five (5) public places within the said town not less than ten (10) days before such annual or special town meeting is held, said notices to state definitely the purpose and amount of the proposed bonds.

Proposition submitted to voters.

Posting notices.

SEC. 3. There shall be provided by the town in case of such election a suitable box, in which ballots cast at such election for or against such proposition, shall be deposited. The ballots used at said election on said bonding proposition shall have printed thereon: For Road,

Election, how conducted.

Bridges or Town Hall Bonds... Yes. For Road, Bridges or Town Hall Bonds... No. And each elector voting on said proposition shall place a crossmark, thus (X), in a space to be left opposite, either the word "Yes" or the word "No." The said election shall be conducted and the votes cast thereat shall be canvassed and counted, and the result certified in like manner as in the case of an election for town officers.

Proposition
carried,
bonds may
issue.

SEC. 4. If a majority of the votes cast at such election be in favor of such proposition, the said town supervisors may issue and negotiate bonds of such town to the amount stated in the election notice, such bonds shall not be negotiated or sold for less than their par value.

Aggregate
indebtedness
not to ex-
ceed 15 per
cent of
assessed
valuation.

Provided, that no town shall be authorized to issue or sell its bonds to an amount so that the aggregate bonded indebtedness thereof shall at any one time exceed fifteen (15) per cent of the assessed valuation of the taxable property of such town as indicated by the last preceding assessment of such property.

Due in 20
years, rate
per cent.

Such bonds shall be due and payable within twenty (20) years from date of issue of such bonds, and that the said bonds shall not bear more than six (6) per cent interest per annum.

Notice by
publication.

SEC. 5. Before any such town shall be authorized to issue its bonds as hereinbefore provided, the town supervisors shall give notice by publication for three (3) consecutive weeks in the official newspaper of the county in which said town is situated and by a similar publication for the same length of time in a weekly or daily newspaper printed at the capital of the state, all of which said newspapers shall be designated therefor by a resolution of such town supervisors, duly made and recorded; that the said supervisors will receive bids for the sale of said bonds at the time and place to be named in such notice.

Negotiating
bonds.

SEC. 6. At the time and place named in such notice, the said town supervisors shall open and consider said bids, and may thereupon sell said bonds to the person, company or corporation offering the most advantageous terms for the interest of such town; *provided*, that the said town supervisors may reject any and all bids offered for the purchase of such bonds, if they deem it necessary for the best interest of the town so to do.

SEC. 7. The money realized upon the sale of such

bonds shall be placed in the town treasury, and devoted as far as may be necessary to the purpose named in the aforementioned resolution or petition, and the residue thereof, after the cost and expense of building such road, bridge or town hall shall have been paid and discharged, shall be paid into the road and bridge fund of such town.

Money placed in town treasury, balance, disposition.

SEC. 8. Said board of supervisors and their successors are hereby authorized, on or before the first day of October next after the date on said bonds, and in each and every year thereafter, on or before the first day of October until the payment of said bonds, and interests, is fully provided for, to levy, and in due form certify to the auditor of the county in which such town is situated a tax upon the taxable property of said town equal to the amount of principal and interest maturing next after such levy, and in the discretion of said board of supervisors such further sum as it shall deem expedient, not exceeding fifteen (15) per cent of such maturing bonds and interests, which taxes shall be payable in money and shall constitute a fund for the payment of said bonds or interest thereon.

Tax levy to pay interest and bonds.

SEC. 9. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved March 6, 1903.

CHAPTER 37.

H. F. No. 143.

An act entitled an act providing for the election of a vice chairman of boards of county commissioners and defining the powers and duties of such vice chairman.

Vice chairman of board of co. com's'rs.

Be it enacted by the legislature of the State of Minnesota.

SECTION 1. The commissioners of each county of this state at their first regular session after the passage of this act, and hereafter at their annual session in January, or at their first session in each year, shall elect one of their number as vice chairman, who in case of the absence, illness or incapacity of the chairman, shall perform all the duties which the chairman of the board of county com-

When elected, duties.

missioners is now or may hereafter be authorized or required by law to do or perform.

SEC. 2. This law shall be in force and effect from and after its passage.

Approved March 6, 1903.

H. F. No. 148.

CHAPTER 38.

R

Common
school dist.
meetings.

An act to amend section 3678 of the General Statutes of 1894, as amended by chapter 15 of the General Laws of 1899, relating to school meetings in common school districts.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section 3678 of the General Statutes of 1894, as amended by chapter 15 of the General Laws of 1899, be and the same is hereby amended so as to read as follows:

Officers,
term of
office.

Section 3678. The officers of each common school district shall be a director, a treasurer and a clerk, who shall together constitute the board of trustees, and hold their offices for the term of three years, or until their successors are elected and qualified. They shall be elected by ballot, one each year, at the annual meeting which shall be held on the third Saturday in July of each year, at seven o'clock p. m., unless a different hour shall have been fixed at the preceding annual meeting, and the polls shall remain open for one hour. The term of office of each trustee so elected shall commence on the first day of August following his election; *provided*, that in each school district which contains ten or more townships the trustees shall hereafter, commencing with the general election to be held in 1904, be elected biennially at the general election; two trustees at every such election, the term of office of one to commence on the first day of August in the year following his election, and that of the other on the first day of August in the second year following his election, the time of the commencement of the term of each to be indicated on the ballot. Whenever trustees are elected at the annual school meeting, the clerk shall forthwith notify them of their election, and when elected at the general election, the auditor of the county

How
elected.

Third
Saturday
in July.

School
dists. of 10
or more
townships.

Clerk to
notify.

in which such district is situated shall give them seasonable notice.

Auditor to
notify.

Whenever a new district is formed, a meeting for organization may be called upon the written application of three or more freeholders and legal voters residing within the limits thereof, by ten days' posted notice, stating the object of such meeting. Such meeting so called shall have the same powers as an annual meeting, except that the board of trustees then elected shall hold office only until the next annual meeting. At the first annual meeting after organization a director shall be elected for one year, a treasurer for two years and a clerk for three years; *provided*, that if any annual meeting is not held, or for any reason a trustee is not elected, the incumbent shall hold over until the next annual meeting, when his successor shall be elected for the unexpired term.

New
district.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 6, 1903.

CHAPTER 39.

H. F. No. 83.

An act to amend section 49 of chapter 309 of the General Laws of 1901, as amended by chapter 76 of the General Laws of the extra session of 1902, relating to the appropriation of money out of the internal improvement fund, to aid in building a bridge in Murray county.

Bridge in
Murray
county.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1 That section forty-nine (49), of chapter three hundred nine (309), of the General Laws of 1901, as amended by chapter seventy-six (76), of the General Laws of the extra session of 1902, be and the same is hereby amended so as to read as follows:

Section 49. That the sum of four hundred (400) dollars is hereby appropriated out of any moneys in said fund to aid in building a bridge across the Des Moines river where the section line between sections twenty-seven (27) and thirty-four (34), in town one hundred six (106), range thirty-nine (39), in Murray county, crosses the same.

\$400.

Location.

That the work shall be done under the supervision of

Supervision.

the town supervisors of the town of Des Moines River, Murray county, Minnesota.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 7, 1903.

H. F. No. 139.

CHAPTER 40.

Boards of
education
in cities
over 50,000.

An act entitled "An act empowering boards of education in incorporated cities having over fifty thousand (50,000) inhabitants, and constituting special or independent school districts, to provide for the conveyance of pupils at public expense in certain cases."

Be it enacted by the Legislature of the State of Minnesota:

Conveyance
of pupils.

SECTION 1. The board of education in any incorporated city having over fifty thousand (50,000) inhabitants and constituting a special or independent school district may, when in their opinion the same will be for the best interest of the pupils in any such city, provide for the conveyance of pupils living at a distance of more than one mile from any school-house wherein a graded school shall be held, to and from such schoolhouse at public expense.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 7, 1903.

H. F. No. 93.

CHAPTER 41.

Corporations.

An act to legalize certain corporations, and to validate transfers of property made to and by such corporations.

Be it enacted by the Legislature of the State of Minnesota:

Attempted
corporations
legalized.

SECTION 1. That in all cases where an attempt has heretofore been made to form and organize a corporation under any of the statutes of this state, and the persons so attempting to form and organize such corporation have actually adopted, signed and filed in the office of the register of deeds of the proper county and of the secretary of state, articles of incorporation in which the business specified was such as might be lawfully carried on by such corporation under the laws of this state, and

have in fact issued stock and transacted business under the corporate name therein assumed, such attempted organization in every such case is hereby legalized and made valid and effectual under the corporate name so assumed, notwithstanding the omission of any matter, thing or requirement by law prescribed to be done or observed in the formation of such corporation; and all conveyances of property in good faith and lawful form, made to or by such body under such corporate name, are hereby legalized and made as valid and effectual for the purposes intended as if such body corporate had been in all things duly and legally incorporated at the time of making the same; *provided*, that this act shall not apply to any action now pending, involving the validity of the organization of such corporation.

Conveyances
made valid.

Does not
apply to
actions
pending.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 7, 1903.

CHAPTER 42.

H. F. No. 248.

An act to govern the sale of gasoline, benzine and kerosene in certain quantities and prescribe penalties for violation thereof.

Be it enacted by the legislature of the State of Minnesota:

SECTION 1. Any manufacturer, vendor or dealer who shall sell, cause to be sold, fill or cause to be filled for the purpose of sale or other use, any can or other container with gasoline or benzine, in quantities of more than one pint and less than six gallons, without such can or other container being of bright red color and plainly tagged, labeled or branded in large plain letters, with the name of the contents, or any manufacturer, vendor, or dealer who shall sell or cause to be sold, fill or cause to be filled for the purpose of sale or other use with kerosene or other illuminating oils, in quantities of more than one pint and less than six gallons, any can or other container, when said can or other container is of a red color, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be subject to fine of not more than one hundred dollars.

Gasoline,
benzine and
kerosene
cans.

SEC. 2. This act shall take effect and be in force from and after July 1, 1903.

Approved March 7, 1903.

H. F. No. 91.

CHAPTER 43.

R

Town
school su-
perintendents.

An act providing for the election of town school superintendents in certain cases; defining their duties, and method of compensation.

Be it enacted by the Legislature of the State of Minnesota:

Common
school dist.
of 20 or
more towns.

Shall elect.

Duties.

SECTION 1. That the legal voters of every organized town in this state, which forms part of a common school district, containing twenty or more townships, at its annual town meeting in each year, in addition to the business now provided by law to be transacted at such meetings, shall elect one resident legal voter of such town, who shall be known and designated as town school superintendent. The duties of such superintendent shall be to advise the board of trustees of the school district of which such town forms a part, in all matters pertaining to the schools in said town, such as the location of schoolhouses, the employment of teachers, the furnishing of school supplies, and the erection and repair of schoolhouses. He shall look after truants, visit the schools, and from time to time make report to the board of trustees as to the condition of schools and school buildings in his town, with suggestions as to their improvement, and whenever duly authorized in writing by said board of trustees, or any member thereof, he may make valid contracts for the furnishing of wood and other necessary school supplies, and for ordinary repairs on the schoolhouses in his town.

SEC. 2. That such town school superintendent shall receive as compensation for services so performed by him such sum, if any, as may be determined by vote of the town at any annual meeting thereof, to be paid out of the town funds.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 7, 1903.

CHAPTER 44. *R*

H. F. No. 250.

An act to amend section five thousand six hundred and thirty-eight (5638) of the General Statutes of eighteen hundred and ninety-four (1894), relating to oaths and acknowledgments.

Oaths and acknowledgments.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section five thousand six hundred and thirty-eight (5638) of the General Statutes of eighteen hundred and ninety-four (1894), be and the same is hereby amended so as to read as follows :

Section 5638. The clerks of the circuit and district courts of the United States for the district of Minnesota, and United States commissioners, duly appointed by the district court of the United States for the district of Minnesota, shall have the same authority to administer oaths, and to take the acknowledgment of instruments, which notaries public now have, or hereafter may have, under the laws of this state.

Clerks of U. S. circuit and dist. courts authorized.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 7, 1903.

CHAPTER 45. *R*

H. F. No. 327.

An act to amend section fifty-four (54) of chapter three hundred and nine (309) of the General Laws of 1901, relating to appropriations for building bridges, constructing roads or draining lands in certain counties of this state.

Appropriations.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section fifty-four (54) of chapter three hundred and nine (309) of the General Laws for 1901, be amended so as to read as follows :

Section 54. That the sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in the building of a bridge across the Otter Tail river, in the town of Perham, Otter Tail county, Minnesota, at a point where the principal road running east from the village of Perham towards the village of New York Mills,

Otter Tail county. Perham. \$200.

across said river, in section twenty-four (24), township one hundred thirty-six (136), range thirty-nine (39).

That the work shall be done under the supervision of the town surveyors of the said town of Perham.

Earhard's
Grove, \$100.

That the sum of one hundred dollars (\$100) is hereby appropriated out of said fund to aid in building approaches to a bridge crossing the Pelican river, in section four (4), of the town of Earhard's Grove, county of Otter Tail. That the work shall be done under the supervision of the town supervisors of said town.

Prairie
Lake,
Pelican, \$200.

That the sum of two hundred (200) dollars is hereby appropriated out of said fund to aid in building a bridge across the outlet of Prairie Lake on the state road on lot four (4), section fourteen (14), township one hundred thirty-six (136), range forty-three (43), being in the township of Pelican. That the work shall be done under the supervision of the board of supervisors of said town.

Lida, \$200.

That the sum of two hundred (200) dollars is hereby appropriated out of said fund to aid in the construction of a bridge and build approaches or abutments thereto across Lake Lida near Stoney Bar road, and grading said road in sections thirty-two (32), and thirty-three (33), township one hundred and thirty-six (136), range forty-two (42), being in the town of Lida, in Otter Tail county, Minnesota. That the said appropriation shall be expended under the direction of the board of supervisors of said town of Lida.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 7, 1903.

H. F. No. 554.

CHAPTER 46.

R

Terms of
court, 7th
Dist.

An act prescribing the time of holding the general terms of the district court in the county of Benton in the Seventh judicial district of the State of Minnesota.

03 c 46
94-M - 131
102-NW 220

Be it enacted by the Legislature of the State of Minnesota:

Benton
county.

SECTION 1. That the general terms of the district court in and for the county of Benton, in the Seventh judicial district, in said State of Minnesota, shall be held upon the fourth Monday of April and upon the first Monday of December in each year, providing that no grand or petit

jury shall be summoned for the April term of the year 1904, or for any April term thereafter unless ordered by the court, as provided by law.

SEC. 2. The adjourned term of the district court appointed to be held on March 16, 1903, in said county, is hereby adjourned to the fourth Monday of April of 1903.

SEC. 3. All acts and part of acts inconsistent herewith are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 6, 1903.

CHAPTER 47.

S. F. No. 113.

An act to prevent the destruction of grasses, grains and other crops by grasshoppers.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Every tract or parcel of land in this state so infested in any year with the eggs of grasshoppers as to be so eminently dangerous to grasses, grains or other crops growing or to grow in or upon lands situate in the vicinity of the tract or parcel so infested as to threaten the destruction of a great part of any of such grasses, grains or other crops, shall from and after the date when it becomes the duty of the owner or lessee thereof to plow the same as provided in this act, and so long as the same remains unplowed and so infested, be deemed a public nuisance.

Prevent
destruction
of crops by
grasshoppers.

SEC. 2. The board of county commissioners in any county in this state is hereby authorized at any regular or special session thereof to hear and consider complaints relative to any tract or parcel of land claimed to be infested with the eggs of grasshoppers, and to fully investigate the facts in any such case. The certificate of the state entomologist to the effect that he has made examination of any such infested tract or parcel, or any portion thereof, described by him, and that in his opinion such tract or parcel, or any portion thereof so described, is or is not so infested with the eggs of grasshoppers as to be greatly dangerous to grasses, grains or other crops growing or to grow on lands situate in the vicinity of the

County
commission-
ers to hear
complaints.

Certificate of
entomologist,
prima facie
evidence.

Notice,
hearing.

tract or parcel so infested as to threaten the destruction of a great part of any thereof, shall be prima facie evidence of the facts therein stated at any such hearing of said board, or in any civil action authorized by, or arising from anything done pursuant to, this act. The person complaining shall cause notice to be served upon the owner of such tract, or his lessee, at least ten days prior to the day of such hearing, describing therein the tract complained of, the nature of the complaint, and the session of the board when application will be made for such hearing, naming the first day of such session; whereupon the hearing may be had on said day or upon such future day as the board shall then appoint therefor. Such notice may be served in the manner as provided in section 3 of this act for the service of a copy of the order therein authorized.

Order,
service.

On non-
resident, by
publication.

SEC. 3. If the board of county commissioners shall, after the hearing and investigation authorized by the preceding section, be of the opinion that any tract or parcel of land or any portion thereof is so infested with the eggs of grasshoppers to the extent contemplated by section one (1) of this act, it shall make and file its order to that effect, directing therein that the owner or lessee of such tract or parcel plow the same within the time therein stated, and cause a copy of such order to be served upon such owner, or his agent, or lessee, within such time as the board shall direct, not less than twenty days from the date of said order. Such copy shall be served upon such owner or lessee, if he be a resident of the county, in the same manner that a summons is served in a civil action; and if such owner or lessee resides in another county, service thereof may be made upon the agent of such owner, or lessee, if any, residing in the county; and if the owner is not a resident of this state, or his residence is unknown, and he has no known agent or lessee in the county, then service may be made by publication for two consecutive weeks in a legal newspaper printed at the county seat of such county, the last of which publications shall be made not less than ten days prior to the date when the plowing of any such tract or parcel is required to be commenced.

The order of the said board authorized by this section may be in substantially the following form:

Whereas, at a meeting of the board of county commissioners of _____ county, held on the _____ day of _____, 19____, the said board did duly hear and investigate relative to a complaint that the tracts or parcels of land hereinafter described are so infested with the eggs of grasshoppers as to be greatly dangerous to grasses, grains or other crops growing or to grow on the lands situate in the vicinity of such tracts, as to threaten the destruction of a great part of such grasses, grains or other crops; and, whereas, the said board is of the opinion that such danger exists, the said tracts being described as follows.

Form of
order.

(Here insert description.)

It is hereby ordered and directed that the owner (or his lessee) of said tract or parcel of land shall, not later than the _____ day of _____, 19____, begin, and with reasonable dispatch continue, the plowing of said tract or parcel and all thereof, and complete such plowing prior to the _____ day of _____ 19____.

(Or if all the lands complained of are not so infested, then describe the portions thereof found to be so infested and required to be plowed).

County
auditor,
duty.

The county auditor is hereby required to cause a copy of this order to be served upon the owner of the lands hereby required to be plowed, or his agent (or lessee), in the manner required by law for the service thereof.

.....
Chairman Board of County Commissioners.

.....County.

State of Minnesota.

Attest:.....

County Auditor.

Dated.....

SEC. 4. If the owner, or his lessee, of any tract or parcel of land described in any order made pursuant to section 3 of this act, upon whom service of a copy of such order has been duly made, shall fail or neglect to substantially comply therewith, he shall be deemed to maintain a public nuisance within the meaning of this act, and to consent that the said tract or parcel of land may be plowed by the county; and the board of county commissioners, when informed of such failure or neglect, shall cause the land found by it to be so infested to be plowed, under the direction of the chairman of said

Failure to
comply
with order.

Expenses,
how paid.

board; and the expenses incurred by reason of such plowing shall be paid out of the county treasury upon the warrant of the county auditor, in favor of the person entitled to the same.

Owner, or
lessee
liable.

SEC. 5. Whenever any tract of land shall have been plowed by the county, pursuant to the provisions of this act, and the plowing thereof, shall be of value to the owner, or his lessee thereof, in the raising of any crops thereon during the season immediately following such plowing, such owner, or lessee, shall be liable to the county to the value of such plowing. Whenever the board of county commissioners is of the opinion that any such liability has arisen by reason of such plowing, it shall determine the sum for which such owner or lessee is so liable, and direct the county auditor to demand the immediate payment thereof into the county treasury; and if the same is not paid upon such demand it is hereby made the duty of the county attorney to bring a civil action in the name of such board against the party so in default, for the recovery of the same and interest thereon from the date of such demand, provided that the amount so determined by the board of county commissioners shall be prima facie evidence of the value of such plowing.

Suit for
recovery
of money
paid out
of county
treasury.

State
entomologist.

SEC. 6. For the purpose of this act the entomologist employed by the regents of the University of Minnesota, at the state experiment station, located at the capitol of the state, shall be deemed the state entomologist.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 10, 1903.

CHAPTER 48. R

S. F. No. 122.

An act to amend section three hundred ninety one (391) of chapter twelve (12) of title fifteen (15) of the penal code of the State of Minnesota, as amended by chapter three hundred and twenty-seven (327) of the General Laws of the State of Minnecota for the year 1897 relating to the wilful or malicious injury to real or personal property.

Wilful or
malicious
injury to
property.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter twelve (12) of title fifteen (15) of the penal code of the State of Minnesota, as amended by chapter three hundred and twenty-seven (327) of the General Laws of the State of Minnesota for the year 1897, be, and the same hereby is, amended so as to read as follows:

Section 1. Chapter twelve (12) of title fifteen (15) of the penal code of the State of Minnesota is hereby amended by adding thereto the following sections, to-wit:

Class
described.

Section 491 A. A person who shall wilfully or maliciously destroy, injure, disconnect, displace, cut, break, deface, ground or in any way interfere with any pole, cable or wire legally erected, put up or strung, or any underground conduit, subway or cable, or any electrical or other apparatus, lamps, transformer, switch, appliance, instrument or machinery of any kind used in the construction of or in the operation of any electric or telephone plant, line or system, or used in the producing, generating or transmitting of electric light, heat or power, or who shall aid, agree with, employ or conspire with any other person or persons to do any of the aforementioned acts, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding ninety days.

Misdemeanor.

Section 491 B. Whoever shall wilfully or maliciously make any connection with any meter, pipe, conduit, wire, line or other apparatus belonging to any person or company using or engaged in the manufacture, supply, sale or distribution of electricity or of electric current for the purpose of taking, using or wasting such electricity or electric current, or shall wilfully or maliciously prevent

Further
description
of property.

Misdemeanor.

an electric meter from duly measuring or registering the quantity of electricity supplied, or shall in any way interfere with its proper action or just registration, or shall, without the consent of such person or company, wilfully or maliciously divert any electrical current or power of such person or company, or in anywise wilfully or maliciously use or cause to be used without the consent of such person or company any electricity manufactured or distributed by such person or company, or shall aid, agree with, employ or conspire with any other person or persons to do any of the aforementioned acts, shall be deemed guilty of a misdemeanor and shall for every offense be punished by a fine not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding ninety days.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 10, 1903.

S. F. No. 49.

CHAPTER 49.

Municipal courts in cities of less than 5,000.

An act to amend chapter two hundred and twenty-nine (229) of the General Laws of eighteen hundred and ninety-five (1895) the same being an act establishing municipal courts in incorporated cities having a population of less than five thousand (5,000) inhabitants.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section thirty-seven of chapter two hundred and twenty-nine (229) of the General Laws of eighteen hundred and ninety-five (1895) be, and the same is, amended so as to read as follows:

Crime under state laws.

Section 37. In all examinations of persons charged with crime under the laws of this state, and in all trials of criminal cases under such laws, when the defendant is acquitted and when he is convicted and does not pay his fine and the costs accruing therein after the final determination of said cause, the clerk shall make out an itemized bill of the costs accruing in said case, or such examination, in said municipal court, certified to under his hand

Fines and costs in certain cases.

and the seal of said court, and file such bill with the auditor of the county in which said city is situated, who shall upon such presentation draw his warrant upon the treasurer of such county for the amount of the bill so presented, in favor of the judge of said court, and the treasurer shall forthwith pay the same, and it shall be the duty of the judge of said court to disburse the costs so accruing in each criminal cause or examination to the persons entitled thereto; if at any time after the conviction or examination of such defendant he shall pay the fine and costs accruing therein to said municipal court, it shall be the duty of the judge of said court to forthwith pay the same to the county treasurer taking his receipt therefor in duplicate and file one with the auditor of said county.

Itemized
bill filed
with county
auditor.

Judge of
dist. court
to disburse
costs.

In case de-
fendant pays
costs.

In all trials of criminal cases under the ordinances, by-laws and regulations of said city, when the defendant is acquitted and when he is convicted and does not pay his fine and the costs accruing therein, after the final determination of said cause, the clerk shall make out an itemized bill of the costs accruing in said case, in said municipal court, certified to under his hand and the seal of said court, and file such bill with the recorder or clerk of said city, who shall, upon presentation, draw his order upon the treasurer of said city for the amount of the bill so presented in favor of the judge of said court, and the treasurer of said city shall forthwith pay the same, and it shall be the duty of the judge of said court to disburse the costs so accruing in each criminal cause to the persons entitled thereto. If, at any time after the conviction of such defendant he shall pay the fine and costs accruing therein to said municipal court, it shall be the duty of the judge of said court to forthwith pay the same to the treasurer of said city, taking his receipt therefor in duplicate and file one with the recorder or clerk of each city.

Crime un-
der city
ordinance.

Fines and
costs in
certain
cases

Duty of
municipal
judge.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 11, 1903.

S. F. No. 281.

CHAPTER 50.

Waterworks
in cities of
10,000 or
less.
03 c 50
97-M - 402
106-NW 477
5-LRA
(n s) 327

An act to authorize cities having a population of ten thousand inhabitants or less to purchase, or otherwise acquire, extend and improve water works, and to issue bonds for such purpose.

Be it enacted by the Legislature of the State of Minnesota :

Sale and
repurchase.

Subject to
approval
of voters.

"Purchas-
ing" and "ac-
quiring" de-
fined.

Not
applicable in
certain
case.

Issue of
bonds not to
exceed \$150,000.

SECTION 1. In addition to the rights and powers heretofore granted by law to the several cities of the State of Minnesota, which rights and powers shall not be abridged or affected by this act, there is hereby granted to all cities that are or may be hereafter organized within the State of Minnesota, having a population of ten thousand inhabitants, or less, according to the last officially promulgated state or United States census, and which having owned a system of water works and sold or disposed of the same, and having by contract or otherwise reserved the right to repurchase the same, the right and power to issue bonds for the purpose of purchasing or otherwise acquiring the same and extending and improving such water works, and such cities are hereby authorized and empowered to purchase, subject to the approval of the legal voters of such city, as is hereinafter provided, any such water works system and plant and extend and improve the same.

The words "purchasing" and "acquiring" herein shall be deemed and taken to include the acquiring of any such works or plants by contract with the owner or owners thereof or pursuant to any right reserved in any contract or ordinance or pursuant to or by virtue of the exercise of the right of eminent domain in any condemnation proceedings had or taken for the purpose of acquiring any such works or plants.

Provided, that this act shall not relate to any city whose contract of repurchase includes the right to repurchase gas or electric plants.

SEC. 2. The bonds of any city issued pursuant to the terms of this act may be issued from time to time by a vote of the electors of such city, as hereinafter provided, but the total amount of such bonds outstanding shall not at any time exceed in the aggregate the sum of one hun-

dred and fifty thousand dollars (\$150,000), except as hereinafter provided.

SEC. 3. All bonds authorized by this act shall run not more than thirty years from the date of the issuance, bearing interest at not more than five per cent (5%) per annum, principal and interest payable at such time and place as may be fixed by the common council of such city, such bonds to be sealed with the seal of the city issuing them and signed by the mayor and attested by the clerk or recorder and shall be sold at not less than par value and accrued interest to the highest responsible bidder, after notice published once in each week for three (3) successive weeks in a daily paper, if one there be, if not, then in a weekly paper in the city where such bonds are to be issued, and also in a daily paper published in the city of St. Paul, a failure to publish said notice, however, shall not invalidate said bonds.

And for not longer than 30 years, rate, sale, etc.

SEC. 4. Bonds issued under or pursuant to the provisions of this act shall be so issued only when authorized by the voters of such city at a general or special election called for that purpose in the manner hereinafter provided.

Bonds must be voted.

SEC. 5. In addition to the bonds hereinbefore authorized to be issued a further and additional amount of bonds, not exceeding in the aggregate the sum of fifty thousand dollars (\$50,000) may be issued by any such city for any and all of the purposes hereinbefore provided for, provided the common council of such city shall authorize such issuance by a majority vote of all members elect and the question of such issuance shall be submitted to the voters of such city at a general election or at a special election called for that purpose as hereinafter provided and two-thirds of the voters voting at such election shall vote in favor of such issuance and in estimating the number of voters only male voters shall be considered.

Additional bonds not to exceed \$50,000 may issue, how.

SEC. 6. All elections provided for in this act shall be called and conducted in the manner prescribed for municipal elections in such cities and the notices of election shall contain a statement of the amounts and purposes for which such bonds are proposed to be issued with the date of their maturity and the rate of interest they shall bear. All elections provided for in this act may be called by resolution of the common council, passed by a majority

Election, how conducted.

vote of all members thereto, which resolution shall distinctly state the purpose of the election and the question to be submitted to the vote of the people. The ballot to be voted at all elections under this act may read as follows: "In favor of the proposition of issuing water works bonds to the extent of "Yes. No." The voters voting in favor of such proposition shall mark a cross (X) opposite the word "Yes" and those against such proposition shall mark a cross (X) opposite the word "No" on said ballot in a space provided for that purpose. If the required number of votes cast at any such election shall be in favor of issuing the kind and amount of bonds designated in the ballot, the city voting in favor thereof, through its proper officers without further act is authorized to issue such bonds to the amount voted and to issue and sell the same. The votes cast at such election shall be counted, returned and canvassed the same as at other municipal elections and the result certified to the clerk or recorder by the canvassing board. It shall be the duty of the common council to expend the moneys derived from the sale of said bonds in accordance with the directions of the voters as shown by said election. None of the proceeds of any of the bonds issued pursuant to the provisions of this chapter shall be used, or any part thereof, for any purpose except such as designated in the resolution and vote of the electors cast at any election authorizing the issuance of said bonds and any member of the common council or officer of said city who shall vote for or in any manner participate in the appropriation or expenditure of any of the proceeds of any of such bonds for any other purpose shall be deemed guilty of misdemeanor and punished as by law provided.

SEC. 7. None of the bonds of any such city, issued pursuant to the terms and provisions of this act, shall be deemed or taken to be a part of the indebtedness of such city within the purview of any law limiting the amount of the indebtedness of any city and the bonds provided for in this act may be issued without regard to the indebtedness of any such city.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved March 11, 1903.

Reading
of ballot.

When
authorized
to issue.

Canvass of
votes.

Proceeds of
bond issue,
how used.

Misdemeanor.

Such bonds
not
deemed to
be part of
indebtedness
of city.

CHAPTER 51. *R*

H. F. No. 168.

An act to amend section five (5) of chapter two hundred and fifty (250) of the General Laws for the year eighteen hundred and ninety-five (1895), relating to the duties of surveyors regarding section and property lines.

Duties of
surveyors
regarding
section and
property
lines.

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Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section five (5) of chapter two hundred and fifty (250) of the General Laws for the year 1895, is hereby amended so as to read as follows:

Lost gov-
ernment cor-
ners re-es-
tablished.

The said surveyor shall re-establish all lost government corners, according to the rules of the general land office of the United States, in its printed circular entitled, "Restoration of lost or obliterated corners and subdivisions of sections," dated March 14, 1901, and approved the same date by the secretary of the interior. And from such corners so re-established, or from the original government corners where the same have not been lost, shall subdivide as set forth in the petition, all sections therein included, according to the said rules of said general land office for the subdivision of sections, dated March 14, 1901, approved by the secretary of the interior on the same date, (said rules being in accord with the laws of Minnesota but more specific in language). He shall locate all property lines required by the petition according to all existing authentic field notes, plats and other evidence and by the original deeds if the same are furnished him, otherwise by the descriptions given in the latest tax duplicate.

He shall keep complete and accurate field notes, of all the work, giving dates, names of assistants, lengths and relative directions of all lines; the full topography; of all evidence by which corners are located, and full data by which the entire survey can be relocated in the future. Distances shall be given in feet and decimals thereof. Substantial line or other stone monuments shall be planted at or near all government corners, re-established, and the names of at least three resident witnesses must be given for each monument in such notes. He shall make a plat on strong linen paper, showing all of the above mentioned facts practicable to be set forth in the plat, and shall show

Field notes
to be kept.

Stone monu-
ments, wit-
nesses.

thereon all farms or tracts of land which are benefited or affected thereby, together with the owner's names and the acreage of each separate tract.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 13, 1903.

H. F. No. 51.

CHAPTER 52.

R

Military
code.

An act to amend the military code and amendments thereto, to provide for the maintenance of the state camp grounds and the buildings erected thereon, to fix the organization of the National Guard, to promote good marksmanship therein, to regulate the disposition of military funds and the allowance of officers and enlisted men, to prescribe the duties and regulate the proceedings of armory boards, and making further appropriation for the maintenance of the National Guard and to carry out the provisions of this act.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section ten (10) of chapter one hundred and eighteen (118), General Laws of 1897, known as the Military Code, be and the same is hereby amended so as to read as follows:

Guard,
state name.

"Section 10. National Guard—The active militia, organized, uniformed and equipped as hereinafter prescribed, shall be known as 'Minnesota National Guard.'"

SEC. 2. That article three (3) of part one (1) composed of sections fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21) and twenty-two (22), of chapter one hundred and eighteen (118), General Laws of 1897, known as the Military Code, and the several acts amendatory thereof, be and the same are hereby amended so as to read as follows:

"Article 3.—National Guard:

Peace
strength.
Officers.

"Section 14. National Guard: Peace Strength.—In time of peace the Minnesota National Guard shall consist of the commander-in-chief, the adjutant general as chief of staff, and the other staff officers mentioned in the two preceding sections including one chaplain with the rank

of colonel, and one brigade to be organized as hereinafter prescribed. *Provided*, that appointment on the staff of the commander-in-chief shall not thereby qualify the officer for the actual command of troops or for any office or commission in the National Guard other than that to which he has been appointed, without the examination and other qualifications prescribed by law. Proviso.

The commander-in-chief may, from time to time, fix the number and grade of brigade staff officers, regimental and company officers, non-commissioned officers and other enlisted men which shall constitute each organization of the national guard now or hereafter authorized by law, provided the change is made to conform more closely to the number and grade of officers and enlisted men allowed by law, in time of peace, to similar organizations in the army of the United States; and, *provided further*, that unless so changed, said organization shall remain as now constituted under this act and the provisions of the military code. Commander-in-chief may fix grade.

Section 15. War Strength.—The commander-in-chief shall have power, in case of war, invasion, insurrection, riot, or imminent danger thereof, to temporarily increase said force, and organize and equip the same as the exigencies of the case may require. War strength.

Section 16. The Brigade.—The brigade shall consist of one brigadier general, one assistant adjutant general with the rank of major, one assistant inspector general, one brigade quartermaster, one brigade judge advocate, one commissary of subsistence, one inspector of small arms practice, one ordinance officer and one aide-de-camp, each with rank of captain, three regiments of infantry and one battalion or corps of artillery, the latter to include two batteries of artillery and one company of engineers; *Provided*, that the membership of no company, troop or battery shall fall below a minimum of forty-six officers and enlisted men. Brigade officers.

Section 17. Regiments of Infantry; Bands. — Each regiment of infantry shall consist of one colonel and one lieutenant colonel, one regimental surgeon with the rank of major, one regimental adjutant, one regimental quartermaster, one regimental commissary of subsistence, each with the rank of captain, two assistant surgeons, and one judge advocate, each with the rank of first lieutenant; Regiments of infantry, officers.

one regimental sergeant major, one quartermaster sergeant, one commissary sergeant, one hospital steward, two acting hospital stewards, two color sergeants, not less than two (2) nor more than three (3) battalions, and one regimental band.

Regimental
band.

Each regimental band shall consist of one chief musician, one principal musician, one drum major, four sergeants, eight corporals, one cook and twelve privates.

Infantry.

Section 18. Battalions of infantry.—Each battalion of infantry shall consist of one major, one battalion adjutant with the rank of first lieutenant, one battalion sergeant major, and not less than two (2) nor more than four (4) companies.

Section 19. Companies of infantry.—Each company of infantry shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, six corporals, two cooks, two musicians, one artificer, and not to exceed fifty-six (56) privates.

Artillery
Battalion.

Section 20. Battalion or Corps of Artillery.—The battalion or corps of artillery shall consist of one major, one adjutant with the rank of captain, one quartermaster and commissary, one assistant surgeon and one ordnance officer, each with the rank of first lieutenant, one sergeant major, one quartermaster sergeant, one commissary sergeant, one hospital steward, one acting hospital steward, one chief trumpeter, two batteries of artillery and one company of engineers.

Batteries
Artillery.

Section 21. Batteries of Artillery.—Each battery of artillery shall consist of one captain, two first lieutenants, one second lieutenant, one first sergeant, one stable sergeant, one quartermaster sergeant, five sergeants, eight corporals, four artificers, two musicians, two cooks, and not to exceed sixty privates.

Engineers.

Section 22. Company of Engineers.—The company of engineers shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, six corporals, two cooks, two musicians and not to exceed fifty-seven privates."

SEC. 3. That section seventy-four (74) of chapter one hundred and eighteen (118), General Laws of 1897, known as the Military Code, be and the same is hereby amended so as to read as follows:

"Section 74. Staff Officers.—The staff officers of the brigade and of each regiment of infantry and of the battalion or corps of artillery shall be appointed by the commanding officer thereof, and shall hold office during his pleasure, subject to the approval of the commander-in-chief. *Provided*, that assistant surgeons who have served as such for five consecutive years may, upon application, approved by their regimental commander, be promoted to the rank of captain."

Staff
officers.

SEC. 4. That section one hundred and five (105) of said Military Code be and the same is hereby amended by adding thereto the following:

"The commander-in-chief, may in his discretion, order and establish special camps for advanced instruction in rifle and gun practice, not to exceed six days in any one year, the attendance to be limited to such officers and enlisted men who have attained a prescribed standard in marksmanship and who may be selected for that purpose under suitable regulations. At the conclusion of said practice, and from the participants who have developed unusual proficiency therein, rifle and gun teams may be formed who, with the approval of the adjutant general, may enter official competitions with similar teams in or from other states under such rules and regulations as the adjutant general may prescribe or assent to. *Provided*, that, in addition to subsistence, the pay of officers and enlisted men attending such practice or competition shall be at the rate prescribed for actual service; and *Provided, further*, that the total cost of said special camps and competitions, including the transportation, pay, shelter and subsistence of the participants, and such medals and prizes as may be offered, together with all necessary help and other accessories, shall not exceed the sum of three thousand dollars annually.

Establish-
ment of
camps.

SEC. 5. That section one hundred and twenty-one (121) of said Military Code be and the same is hereby amended by adding thereto the following:

"*Provided*, that there shall be allowed annually two officers in actual command of troops, for incidental expenses in the administration of the affairs of their respective commands, the following amounts:

"To the brigade commander, one hundred dollars;
to the commanding officer of each regiment of infantry,

Pay of
officers.

two hundred and fifty dollars; to the commanding officer of the battalion or corps of artillery, one hundred and fifty dollars; and to the commanding officer of each company or battery, one hundred dollars, the same to be drawn upon vouchers approved by the adjutant general."

Sections
repealed.

SEC. 6. That article seven (7) of part three (3) composed of sections one hundred and twenty-six (126), one hundred twenty-seven (127), one hundred and twenty-eight (128), one hundred and twenty-nine (129), one hundred and thirty (130), one hundred and thirty-one (131), one hundred and thirty-two (132), and one hundred and thirty-three (133), of chapter one hundred and eighteen (118), General Laws of 1897, known as the Military Code be, and the same are hereby repealed, *provided, however*, that section 9, of chapter 197, General Laws of 1895, shall not be affected thereby, but shall remain in full force and effect.

SEC. 7. That sections one (1), two (2), three (3), four (4), five (5), and six (6) of chapter fifty-four (54), General Laws of 1891, entitled "An act to provide suitable armories for the companies of the National Guard," approved April 20, 1891, shall hereafter be designated and known as sections 126, 127, 129, 130, 132 and 133, respectively, of article 7, part 3, of the Military Code.

SEC. 8. That the second paragraph of section one hundred and ten (110) of said Military Code, as amended by section one (1) of chapter thirty-three (33), General Laws of 1902, commencing with the words "For the purpose of providing," and ending with the words "use of such armory by the national guard," shall hereafter be designated and known as section 128 of article 7, part 3, of the Military Code.

SEC. 9. That section one hundred and thirty-one (131), of said Military Code, repealed as aforesaid, be and the same is hereby superseded by the following provision:

Armory
board.

"Section 131. Armory Boards.—In cities where one or more companies or batteries of distinct regiments or arms of the service are located, the command and management of the armory, and the appointment of the necessary help employed therein, will devolve upon a board composed of the senior field or line officer present from each regiment of infantry and battalion or corps of artillery

having a company or battery stationed in such city. The board will act through the affirmative vote of a majority of its members, and any resolution offered by a member of such board, when submitted in writing, though not seconded, shall be put to a vote and entered on the minutes together with the action of the board thereon. In case of a tie vote, and at the request of any member of the board, the proceeding will be certified to the brigade commander, who may thereupon cast the deciding vote and return the papers to the board with his action endorsed thereon, subject to an appeal to the adjutant general."

Method of
voting.

SEC. 10. That section one hundred and seventeen (117) of said Military Code be and the same is hereby amended by adding thereto the following:

"*Provided, further*, that all enlisted men, while in any service under orders of the commander-in-chief shall be entitled to ten per cent of their original pay as prescribed in this act, in addition thereto, for each period of five years' honorable service in the National Guard."

Additional
pay.

SEC. 11. That section one hundred and forty-one (141) of said Military Code be and the same is hereby amended by adding thereto the following:

"*Provided*, that the permanent annual appropriations for the National Guard made by the several acts herein mentioned, or by any act subsequent thereto or subsequent to this act, shall not lapse with the end of any fiscal year, nor be canceled or turned over into any other fund, but shall remain a permanent appropriation and be available for the purpose of carrying out the provisions of the Military Code, and the amendments thereto, until expended as therein provided, or otherwise disposed of by the legislature; and

Permanent
appropriation.

Provided, further, that all disbursements from any military fund, or from any fund for the maintenance or equipment of the National Guard, shall be made upon proper vouchers, approved by the adjutant general, and shall be aid upon the warrant of the state auditor on the state treasurer in the manner prescribed by section 115 of the Military Code."

How pay-
ments are
made.

SEC. 12. That section one hundred and six (106) of said Military Code be and the same is hereby amended by adding thereto the following:

"The adjutant general shall have charge of the state

Charge of
state
grounds.

camp grounds and military reservations, and shall properly care for and keep in good repair all state buildings erected thereon, together with the system of water pipes constructed thereon or laid by the state on any street or highway leading to or connecting with said grounds, and all other military property belonging to the State of Minnesota in or about, or used in connection with said camp grounds, and he may make such further improvements thereon as the exigencies of the service may require. *Provided*, that the total annual cost of the care, maintenance, extension and improvement of said grounds, and the buildings and additions thereon, shall not exceed the sum of two thousand five hundred dollars."

SEC. 13. That section 116 of said Military Code, as amended, be and the same is hereby further amended by adding thereto the following:

"*Provided*, that where said batteries of artillery, or either of them, shall be composed of more than two mounted sections, there shall be paid to the commanding officers thereof, respectively, the additional sum of three hundred and fifty dollars, and to the commanding officer of the battalion or corps the sum of one hundred dollars, for horse hire, at the times and in the manner herein provided."

Additional
appropriations.

SEC. 14. That the additional sum of fifteen thousand dollars be and the same is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the current fiscal year and annually thereafter, for the purpose of carrying out the provisions of the Military Code and the several amendments thereto, including the care, maintenance, improvement and extension of the state camp grounds and the buildings thereon, the rifle and gun practice and competition herein provided, the maintenance and the camp expenses of the National Guard, and the other provisions of this act.

SEC. 15. This act shall take effect and be in force from and after its passage.

Approved March 13, 1903.

CHAPTER 53.

S. F. No. 224.

An act entitled an act relating to the duties and compensation of the county surveyor and the number and compensation of his deputies and assistants in counties having a population of at least one hundred and fifty thousand and not over two hundred thousand inhabitants.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in every county in the state which now has, or that may hereafter have according to the last completed state or national census, at least one hundred and fifty thousand (150,000) and not over two hundred thousand (200,000) inhabitants, the county surveyor shall receive from such county a salary of \$2,500.00 per annum, in full payment for all services performed and traveling expenses incurred by him or his assistants for the county for which he is elected, payable in equal monthly installments out of the county treasury.

Salary of
county
surveyor.

SEC. 2. Such county surveyor may appoint a deputy surveyor, a draughtsman, a rodman and two chainmen who shall receive such compensation from such county as may be fixed by the board of county commissioners from time to time, provided that the compensation of such deputy county surveyor shall not exceed \$4 per day; the draughtsmen \$3 per day; the rodman \$2.50 per day, and the chainmen \$2.00 per day each.

Compensation
of deputies.

SEC. 3. Such deputy shall take the same oath of office, and shall file the same bond as is now required to be filed by the county surveyor, and shall be eligible to do and perform all acts that can be done and performed by such county surveyor by virtue of his office; *provided, however*, that on application of the county surveyor, the board of county commissioners may allow such surveyor to appoint additional help and assistance, and provide for the payment thereof, for such time as said board shall deem necessary.

Oath.

SEC. 4. The duties of such county surveyor and deputy and draughtsman shall be to make all surveys, plats, descriptions and maps thereof, and all other charts or drawings, and to survey, lay out and superintend the construction of roads, bridges and ditches when so required by the board of county commissioners, and said

Duties of
surveyor.

county surveyor or his deputy shall attend at the meetings of said board when requested thereby.

SEC. 5. All acts and part of acts inconsistent herewith are hereby repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 14, 1903.

S. F. No. 91.

CHAPTER 54.

An act to amend section two hundred and fifty-seven (257) of chapter forty-six (46) of the General Laws of one thousand eight hundred and eighty-nine (1889), being an act establishing a probate code.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section two hundred and fifty-seven (257) of chapter forty-six (46) of the General Laws of one thousand eight hundred and eighty-nine (1889), be amended so as to read as follows:

Section 257. Such appeal shall suspend the operations of the order, judgment or decree appealed from, and stay proceedings until such appeal is determined or the district court, to which such appeal is taken, shall otherwise order. The district court in which such appeal may be pending, shall have power in the exercise of a sound discretion, upon good cause shown, to require the appellant to give such further bond with surety, or such further security to be filed or deposited with the clerk of such district court, for the payment of damages, in consequence of such suspension or stay which may be awarded against such appellant, in case he fail to obtain a reversal of the order, judgment or decree so appealed from, as such district court may deem proper under the circumstances; *provided*, that nothing herein contained shall be construed so as to prohibit or prevent the probate court from appointing special administrators or special guardians, or to prevent special administrators or special guardians appointed prior to such appeal from continuing to act as such special administrator or special guardian.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 14, 1903.

Probate
appeals.

CHAPTER 55. *R*

S. F. No. 19.

An act to fix the salary of the attorney general.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the salary of the attorney general for the year nineteen hundred and three (1903), beginning in the month of January thereof, and annually thereafter, shall be forty-eight hundred (\$4,800) dollars, which sum shall be in lieu of all other compensation now provided by law. Salary of attorney general.

SEC. 2. That subdivision six (6) of section five hundred and thirty (530) of the General Statutes of eighteen hundred and ninety-four (1894), be and the same is hereby amended by striking out the words "thirty-five hundred (3,500,)" and inserting in lieu thereof the words "forty-eight hundred (4,800)."

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 14, 1903.

CHAPTER 56. *R*

S. F. No. 126.

An act to amend section one hundred and forty-three (143) of chapter forty-six (46) of the General Laws of one thousand eight hundred and eighty-nine (1889), being an act to establish a probate code, and relating to the service of notice upon persons proposed to be put under guardianship by reason of incompetency.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one hundred and forty-three (143) of chapter forty-six (46) of the General Laws of one thousand eight hundred and eighty-nine (1889), be and the same is hereby amended so as to read as follows:

Section 143. Upon the presentation of such application or petition, the probate court shall fix the time and place for the hearing of the same, and shall cause notice of such hearing, and of the time and place thereof, to be given to the person proposed to be put under guardianship, at least fourteen (14) days prior to the time fixed for such hearing; and if such person is an inmate of a

Notice to be given.

state hospital for the insane, then a like notice shall be given to the superintendent of such hospital, and in such case, such notice, together with two copies of the same, may be sent to the superintendent of such hospital by mail, and it is hereby made the duty of such superintendent to promptly serve the said notice upon the person proposed to be put under guardianship, or to cause the same to be served by an employe of the hospital, and to make, or cause to be made, proof of such service by affidavit of the person making the same, without cost or expense, either for the service or proof of the same, other than the fee of twenty-five cents to the officer administering the oath.

Fee for
affidavit.

When such service is made and proof of the same endorsed on or attached to said original notice, then said superintendent shall promptly return the same, together with his own admission of service, to the judge of probate by whom the same was issued, by mail.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 14, 1903.

S. F. No. 68.

CHAPTER 57.



An act to regulate the manufacture and sale of vinegar, to prevent fraud, and to preserve public health and to repeal certain acts and parts of acts inconsistent herewith.

Be it enacted by the Legislature of the State of Minnesota:

Selling of
vinegar.

SECTION 1. Every person who manufactures for sale or offers or exposes for sale, or sells, as cider vinegar, any vinegar not made exclusively from pure apple juice, known as apple cider, or any vinegar into which has been introduced any artificial coloring, drug, acid or any substance whatever other than pure apple juice, known as apple cider, shall be deemed guilty of a misdemeanor.

To contain
no foreign
substance.

SEC. 2. All vinegars shall be made wholly from the substance or substances from which they purport to be, or are represented to be made, and shall contain no foreign substance or artificial coloring and shall contain not less than four and one-half ($4\frac{1}{2}$) per centum by weight of acetic acid.

SEC. 3. Every person who manufactures for sale, offers or exposes for sale or sells any vinegar containing any preparation of lead, copper, sulphuric acid, or other mineral acids, or any acid made from the distillation of wood, or any other ingredient injurious to health shall be deemed guilty of a misdemeanor.

SEC. 4. Each barrel, cask or keg containing vinegar sold, offered, or exposed for sale, in this state, shall be plainly branded or stenciled with bold-faced black letters and figures, at least one (1) inch in length, on the head of said barrel, cask, or keg, giving the name of the kind of vinegar contained therein, the name of the substance or substances from which it is made, and the name and location of the manufacturer manufacturing the same. Also the per centum of strength of the vinegar contained in the said barrel, cask or keg.

Must be
plainly
branded.

SEC. 5. All cider vinegar as defined in section one (1) of this act, shall have an acidity equivalent to not less than four and one-half ($4\frac{1}{2}$) per centum by weight of acetic acid, and shall contain in addition not less than two (2) per centum by weight of cider vinegar solids upon full evaporation over boiling water; and if any cider vinegar contains any artificial coloring matter or less than the above prescribed acidity and solids, it shall be deemed to be adulterated within the meaning of this act, and the person manufacturing, selling or exposing the same for sale shall be deemed guilty of a misdemeanor.

Defines
pure vinegar.

SEC. 6. Whoever violates any of the provisions of this act shall be deemed guilty of a misdemeanor and be punished by a fine of not less than twenty-five (25) dollars nor more than seventy-five (75) dollars and costs, or by imprisonment not exceeding ninety (90) days.

Penalty for
violation.

SEC. 7. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 8. This act shall take effect and be in force from and after the first day of June, 1903.

Approved March 13, 1903.

S. F. No. 95.

CHAPTER 58.

An act to amend chapter forty-six (46) of the General Laws of one thousand eight hundred and eighty-nine (1889), being an act to establish a probate code, so as to authorize probate courts to appoint special guardians.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter forty-six (46) of the General Laws of one thousand eight hundred and eighty-nine (1889), be and the same is hereby amended by adding after section 167 of said chapter 46 the following:

Appointment
of guardians.

Section 167A. When there shall be delay in appointing guardians for the estate or person of minors, from any cause, or when it shall appear to the satisfaction of the court to be necessary, the probate court may appoint a special guardian for such minor to act until the matter causing the delay shall be disposed of, or the necessity therefore cease to exist and a guardian is appointed. Such special guardian may be appointed without notice and no appeal shall be allowed from the appointment of such special guardian.

All the provisions of section 137 of said chapter 46, General Laws of 1889, shall apply to such special guardian so far as the same are applicable, and upon the filing and approval of the bond so provided for special letters of guardianship shall issue to the person appointed.

Power of
guardians.

Section 167B. Such special guardian shall have the same powers and perform the same duties with regard to the person or estate of the ward as a guardian. *Provided*, that no special guardian appointed under the provisions of this act shall have any power to institute any proceedings for the sale or mortgaging of any real estate belonging to any such ward, nor shall any such guardian have any power to sell or dispose of any personal estate belonging to any such ward without license therefore from the proper probate court.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 14, 1903.

CHAPTER 59. *R*

S. F. No. 129.

An act to provide for the filing and recording in offices of registers of deeds of attested copies of wills and of the probate thereof, affecting lands or interests in lands, and to legalize any such record heretofore made.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. An attested copy of every will and of the probate thereof, devising lands or any interest in lands, shall be recorded in the office of register of deeds of the county in which such land is situated.

Wills devising lands.

SEC. 2. That in all cases where any duly attested or authenticated copy of any will and the probate thereof affecting lands or interest in lands has heretofore been actually recorded in the office of the register of deeds in the county in this state where any of the lands affected by such will are situated, such record is hereby in all respects legalized and made valid; and such record shall be admissible in evidence and shall have the same force and effect in all respects as though such recording was duly authorized by law at the time of the making of the same. Nothing in this section of this act shall apply to any action or proceeding now pending in any court.

Legalizing record.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 14, 1903.

CHAPTER 60. *R*

S. F. No. 177.

An act to amend sections two thousand three hundred and fifteen (2315) and two thousand three hundred and seventeen (2317) of the General Statutes of one thousand eight hundred and ninety-four (1894) relating to the vacation of town plats.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one (1) of chapter thirty-one (31) of the General Laws of one thousand eight hundred and sixty-nine (1869), the same being section two thousand three hundred and fifteen (2315) of the General Statutes of one thousand eight hundred and ninety-

four (1894) be and the same is hereby amended so as to read as follows:

Vacating
streets and
alleys.

Section 2315. The district courts are authorized and empowered upon application made by one or more of the proprietors of any city, town or of any addition to any city or town, or of any part of any city, town or addition thereto, within their district, to alter or vacate the same, or any part thereof, including streets, alleys and public squares, and to adjudge and declare the title to such streets, alleys and public squares in such persons as are entitled to the same; *provided*, that no decree or order of vacation shall be granted until all taxes assessed against the property to be vacated shall have been paid.

SEC. 2. That section fourteen (14) of chapter twenty-nine (29) of the Revised Statutes of one thousand eight hundred and sixty-six (1866), the same being section two thousand three hundred and seventeen (2317) of the General Statutes of one thousand eight hundred and ninety-four (1894) be and the same is hereby amended so as to read as follows:

Court to
hear
evidence.

Section 2317. If such proprietor produces to said court satisfactory evidence, that the notice required by law has been given, the court shall proceed to hear and determine said petition, and may alter and vacate said city or town or additions, or any part thereof, by its order and decree, which shall be recorded by the clerk of said court in the records of said court, a certified copy of which shall be recorded in the office of the register of deeds of the county in which said city, town or addition is situated, and also filed in the office of the county auditor of such county. But no street or alley, or any part thereof, shall be vacated between blocks or lots or which connect two parts of the city, town or addition, except such blocks or lots or one part of the city, town or addition so connected, is also vacated, unless, however, it appears to the satisfaction of the court that such street or alley or part thereof, sought to be vacated is useless for the purpose for which the same was laid out or dedicated; *provided*, that if, upon the hearing of said application any objection is made by any person owning or occupying contiguous land, and whose interest will be injuriously affected by such proposed vacation, the court shall hear him, and give judgment as seems right and proper; *provided further*,

Streets or
alleys which
connect two
parts of
city cannot
be vacated.

that whenever, in the judgment of the court, the parties resisting such vacation or alteration will sustain, by the same damages greater than the benefits resulting therefrom, the court is empowered to assess the said damages or cause the same to be assessed, and require the payment of the same by the parties making the application, before the said vacation or alteration shall take effect. Damages.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 14, 1903.

CHAPTER 61. R

S. F. No. 150.

An act providing for the transportation and instruction of scholars of one school district in an adjoining district or districts.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. When, in the opinion of the board of trustees of any school district of this state, it would be for the best interests of said district to dispense with the holding of school in said district, it is competent for said board of trustees, and it shall be the duty of said board of trustees to arrange with the board of trustees of any adjoining district or districts for the instruction of such children of said district who may attend school in such other district. It shall be the duty also of the board of trustees in said district in which no school is held to provide for the transportation of the children of their school district to and from the school in such district or districts to which they may be sent. The cost and expense of such instruction and transportation of such children shall be paid by the board of trustees of said district in which no school is held out of any funds belonging to such district. The clerk of the district, where no school is kept, shall furnish to the teacher of such adjoining district or districts a register, and it shall be the duty of the teacher to keep a separate daily record of attendance of the scholars from such adjoining district and of such other matters as the law requires, and such teacher, in addition to the reports required by law to be made for the district in which the school is kept, shall make similar separate re-

Trustees of one school district to arrange with trustees of another.

Clerk to keep record.

ports to the clerk of such adjoining district and to the county superintendent of schools, and such record shall be so kept and reports so made that no pupil from such district where no school is kept shall draw apportionment for any other district than the one in which he resides and there be counted only one time.

Retain
organization.

SEC. 2. The school district so educating the children in an adjoining district or districts shall retain its organization and receive its portion of public money as before.

SEC. 3. This act shall be in force from and after its passage.

Approved March 16, 1903.

S. F. No. 105.

CHAPTER 62.

An act to legalize conveyances of real property and the record thereof in which the land is correctly described, but the county in which the same is situated is not correctly named.

Be it enacted by the Legislature of the State of Minnesota:

Legalizing
conveyances.

SECTION 1. That all conveyances of real estate heretofore recorded in the several counties of the State of Minnesota in which such real estate is situated, which conveyances correctly describe the real estate conveyed, but which erroneously state that the same is in a county other than that in which said land is situate, and which in all other respects are executed according to the laws of this state, be and the same hereby are, together with the record of such conveyances, legalized and made good and valid.

Provided, however, that this act shall not apply to any actions now pending, and shall not apply to any instruments describing lands by other than subdivisions prescribed by the federal land laws.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 16, 1903.

CHAPTER 63. . *R*

S. F. No. 210.

An act to grant to religious corporations, either jointly or severally, the powers and privileges conferred by sections 3130, 3131, 3132, 3133, 3134 and 3135 of the General Statutes of the State of Minnesota for 1894 and all acts amendatory thereof, relating to private cemeteries, and to acquire cemetery lands and property of cemetery associations.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That religious corporations created under the provisions of title four (4) of chapter thirty-four (34) of the General Statutes of the State of Minnesota, 1894, and all acts amendatory thereof, and all religious corporations now existing or hereafter created by virtue of the laws of the State of Minnesota are jointly and severally granted all the powers, privileges and authorities conferred by the provisions of sections 3130, 3131, 3132, 3133, 3134 and 3135, General Statutes of the State of Minnesota, 1894, and all acts amendatory thereof, subject, however, to the limitations and conditions therein provided.

Religious corporations.

SEC. 2. That one or more religious corporations, either jointly or severally, may acquire by gift, purchase or otherwise the cemetery lands and property of any cemetery association or private cemetery, now or hereafter created or existing under the laws of this state, and such cemetery association and the owner or owners of such private cemetery are authorized and empowered to convey to such religious corporation or corporations any cemetery land and property so acquired.

May acquire cemetery lands.

SEC. 3. That such religious corporation or corporations may sell and convey such cemetery lots as provided in section 3133, General Statutes of the State of Minnesota, 1894, and all acts amendatory thereof; *provided, however,* that the deeds of conveyance may be executed by the treasurer or treasurers of such religious corporation or corporations, or by any one or more of such trustees thereof, after being duly authorized so to do by resolution of the trustees of such religious corporation or corporations.

Deeds executed by treasurer.

SEC. 4. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

S. F. No. 188.

CHAPTER 64.

R

An act to amend section nine hundred twenty-eight (928) of the General Statutes of eighteen hundred ninety-four (1894), relating to the election of supervisors and other town officers.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section nine hundred twenty-eight (928) of the General Statutes of eighteen hundred and ninety-four (1894) be amended so as to read as follows:

Town supervisors.

Section 928. There shall be elected in the year 1904, at the annual town meeting in each town, three supervisors, one of whom shall be elected for three (3) years, one for two (2) years, and for one (1) year, so that one shall go out each year. The number of years for which each is elected shall be indicated on the ballot, and one shall be designated and known as chairman. At each annual town meeting thereafter one supervisor shall be elected for three years to fill the place of the one whose term expires at that time. There shall also be elected at the annual town meeting in each town one town clerk, one treasurer, one assessor, two justices of the peace, two constables and one overseer of highways for each road district in said town; but justices of the peace and constables shall be elected only once in two years, except to fill vacancies.

Election of town officers.

SEC. 2. This act shall take effect and be in force from and after Jan. 1st, 1904.

Approved March 19, 1903.

03 c 64
07 - 103

CHAPTER 65.

S. F. No. 391.

An act to fix the time for holding the general terms of the district court in the county of Douglas in the Seventh Judicial District in the State of Minnesota.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The general terms of the district court in and for the county of Douglas, in the Seventh judicial district, State of Minnesota, shall be held upon the fourth (4th) Monday of February and the second (2d) Monday of September in each year.

Terms of court, Douglas county.

SEC. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

CHAPTER 66.

H. F. No. 161.

An act entitled an act to enable and authorize the board of county commissioners of any county in this state having more than one hundred and fifty thousand inhabitants, according to the last then completed state or national census, to issue certificates of indebtedness to fund the floating indebtedness of said county existing on February first, A. D. one thousand nine hundred and three (1903), and to levy taxes for the payment thereof.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The board of county commissioners of any county in this state, having more than one hundred and fifty thousand inhabitants, according to the last then completed state or national census, is hereby authorized and empowered to issue at any time prior to the 1st day of May, in the year one thousand nine hundred and three (1903), the certificates of indebtedness of said county for such an amount as may be necessary for the purpose of funding the floating indebtedness of said county, which said floating indebtedness exists on the first day of February, A. D. one thousand nine hundred and three, and which indebtedness has not existed for more than five

Counties of more than 150,000.

Floating indebtedness.

years, said certificates of indebtedness and the proceeds thereof shall be used for no other purpose, and this act shall not relate to any floating indebtedness of any county, the floating indebtedness of which is involved in any action pending at the time of the passage and approval of this act.

Rate of
interest.

SEC. 2. Said certificates of indebtedness shall be in such sums as the board of county commissioners shall determine, and shall bear interest at the rate of not exceeding 4 per cent per annum, payable semi-annually. The principal of said certificates of indebtedness shall become due and payable at such time or times as the board of county commissioners shall determine, subject, however, to the following limitations, to-wit: At least one-fifth of the said certificates shall become due and payable not more than one year from their date, at least one-fifth not more than two years from their date, at least one-fifth not more than three years from their date, at least one-fifth not more than four years from their date, and the balance not more than five years from their date, and no existing law permitting the refunding or extension of the time of payment of the obligations of any county shall have any application to certificates of indebtedness issued hereunder.

Certificate
signed by
chairman of
board.

SEC. 3. The certificates of indebtedness issued under this act shall be signed by the chairman of the board of county commissioners and attested by the county auditor and sealed with his official seal, and be made payable at such place as the board of county commissioners shall by resolution determine. Attached to each certificate shall be interest coupons evidencing the semi-annual installments of interest to fall due on the same, and which interest coupons shall be attested by the fac simile of the signature of the chairman of the board of county commissioners and of the county auditor.

Annual tax
levy.

SEC. 4. The board of county commissioners shall annually after the date of the issuance of said certificates of indebtedness levy a tax upon the taxable property of the county, in addition to all other taxes levied, sufficient to pay the interest annually accruing upon the certificates of indebtedness issued in pursuance of this act, and in advance of the maturity of the principal of any of said certificates shall in like manner levy a tax upon the taxable

property of said county sufficient to pay such principal when due.

SEC. 5. Before any such county shall be authorized to issue any certificates of indebtedness, as herein authorized, the county auditor shall give notice by advertisement published for at least one issue in each of at least two consecutive weeks in the official newspaper of said county that bids will be received at his office for the sale of such certificates at the time to be named in such advertisement. The county auditor shall sell such certificates to the highest bidder or bidders, but in no case for less than par.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

CHAPTER 67.

R

H. F. No. 438.

An act to amend chapter forty-four (44) of the General Laws of 1897, entitled "An act authorizing and empowering deputy county auditors to administer oaths in their respective counties and to certify the same under the seal of the county auditor."

Deputy
county audi-
tors to admin-
ister oath.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one (1) of chapter forty-four (44) of the General Laws of the State of Minnesota for 1897 be amended so as to read as follows:

Section 1. That in all counties in this state the deputy county auditors, duly appointed and qualified, are by this act authorized and empowered to administer oaths and take acknowledgments in their respective counties and to certify the same under the seal of the county auditor.

Seal of county
auditor.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

H. F. No. 402.

CHAPTER 68.



An act fixing the times for holding the general terms of the district court in the several counties of the Sixteenth judicial district.

Be it enacted by the Legislature of the State of Minnesota:

Terms of
court.

SECTION 1. The general terms of the district court in the several counties of the Sixteenth judicial district of this state shall be held each year as follows:

Stevens
county.

In the county of Stevens, on the third Monday of March and the second Monday in October.

Big Stone
county.

In the county of Big Stone, on the second Monday in May and the second Monday in November.

Grant
county.

In the county of Grant, on the fourth Monday in May and the fourth Monday in October.

Traverse
county.

In the county of Traverse, on the third Monday in June and the third Monday in November.

Wilkin
county.

In the county of Wilkin, on the first Monday in June and the second Monday in December.

Pope
county.

In the county of Pope, on the second Monday in June and the first Monday in December.

Juries.

SEC. 2. The grand jury, if one is drawn for any of said terms of court, shall be summoned to appear on the first day thereof, and the petit jury shall be summoned to appear on the second day of each of said terms, on which second day the trial of cases shall commence.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby **repealed**.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.



H. F. No. 373.

CHAPTER 69.

An act to regulate the hours of employment of locomotive engineers and locomotive firemen, and to provide a penalty for violation thereof.

Be it enacted by the Legislature of the State of Minnesota:

Locomotive
engineers
and firemen.

SECTION 1. On all lines of steam railroads or railways operated in whole or in part within this state the

time of labor of locomotive engineers or locomotive firemen employed in running or operating the locomotive engines on or over such railroads or railways shall not at any time exceed fourteen (14) consecutive hours without an opportunity be given them for rest. At least nine (9) hours, or as many hours less than nine (9) as is asked for by said engineers or firemen, shall be allowed them for rest before said engineers or firemen are again ordered or required to go on duty; *provided, however*, that nothing in this section shall be construed to allow any engineer or fireman to desert his locomotive in case of accident, storms, wrecks, washouts, snow blockades or any unavoidable delay arising from like causes, or as prohibiting said engineers or firemen from working longer if they do not object.

Hours of
work.

SEC. 2. Any railroad company or superintendent, chief dispatcher, trainmaster, master mechanic or other railroad or railway official who shall order or require any locomotive engineer or locomotive fireman to labor contrary to the provisions of section one (1) of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than twenty-five (25) dollars or more than one hundred (100) dollars, or by imprisonment for not less than thirty (30) days or more than sixty (60) days; and all railroad or railway corporations operating lines or railways or railroads, in whole or in part in this state, shall be liable for all injuries to said engineers or firemen resulting from their being required to labor contrary to the provisions of section one (1) of this act.

Penalty for
violation.

SEC. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 4. This act shall be in force upon and after its passage.

Approved March 19, 1903.

H. F. No. 261.

CHAPTER 70.

R

Relating to
annuity safe
deposit
and trust
companies.

An act to amend sections two (2) and five (5) of chapter two hundred (200) of the General Laws of 1899, being an act entitled "An act to amend chapter one hundred and seven (107) of the General Laws of 1883, as amended by chapter three (3) of the General Laws of 1885, and by chapter two hundred thirty-four (234) of the General Laws of 1889, relating to annuity, safe deposit and trust companies."

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section four (4) of chapter one hundred and seven (107) of the General Laws of eighteen hundred and eighty-three (1883), as amended by chapter three (3) of the General Laws of eighteen hundred and eighty-five (1885), and by chapter two hundred and thirty four (234) of the General Laws of eighteen hundred and eighty-nine (1889), and by section two (2) of chapter two hundred (200) of the General Laws of eighteen hundred and ninety-nine (1899), be and the same hereby is amended, so as to read as follows:

Section 4. No such corporation hereafter organized shall be authorized to transact any business, or exercise any powers as such, until two hundred thousand (200,000) dollars of its capital stock shall have been actually paid in, of which not less than fifty thousand (50,000) dollars shall be invested and deposited as hereinafter provided. Said fifty thousand (50,000) dollars shall be invested in the bonds of the United States, or in bonds or obligations of the State of Minnesota, or in the bonds of other states, or in the bonds or obligations of the City of St. Paul, Minneapolis, or Duluth, or in the bonds or obligations of any incorporated city or village of this state, containing a population of not less than three thousand (3,000) souls, as determined by the then next preceding national or state census, which bonds or obligations have not been issued as a bonus for, or purchase of, or subscription to any railroad or other private enterprise, and whose total bonded indebtedness does not exceed ten (10) per centum of the then assessed valuation of the real and personal property of said city or village; or in the bonds or obligations of any organized county in this state con-

Amount of
capital
stock.

Character
of bonds.

taining a population of not less than ten thousand (10,000) souls, as determined by the then last census as aforesaid, which bonds have not been issued for any of the purposes aforesaid, and whose total bonded indebtedness does not exceed ten (10) per centum of the then assessed valuation of the real and personal property of such county; or in the bonds or obligations of any legally organized school district, whose total indebtedness does not exceed ten (10) per centum of the then assessed valuation of the real and personal property, of such district; or in the bonds or obligations of any city of the United States containing a population of not less than twenty-five thousand (25,000) souls, as determined by the then next preceding national or state census, which bonds or obligations have not been issued as a bonus for, or purchase of, or subscription to any railroad or other private enterprise and whose bonded indebtedness does not exceed ten (10) per centum of the then assessed valuation of the real and personal property of such city; or in the mortgage bonds of any railroad company, which are secured by a first lien, or issued to replace and retire mortgage bonds which are secured by a first lien, upon a railroad within the United States, provided said railroad company has earned and paid regular dividends of not less than four per centum per annum on its entire capital stock for at least three (3) years next preceding such investment; which shall have the approval of the public examiner. The guaranty fund of any such corporation heretofore organized, may consist of such securities as are hereinbefore authorized, or, of such as are authorized under the existing law. And any corporation which has been heretofore organized and qualified to do business under this act, that shall deposit with the state auditor as its required deposit bonds of the character aforesaid, of the par value of not less than fifty thousand (50,000) dollars, nor less than one-fourth ($\frac{1}{4}$) of its outstanding paid capital stock, shall be allowed at any time thereafter to withdraw its other deposits or securities with the state auditor so that the whole deposits of such corporation shall amount to not less than fifty thousand (50,000) dollars in such bonds, nor less than one-fourth ($\frac{1}{4}$) of its outstanding paid capital stock. And any corporation which has been heretofore, or that shall hereafter be,

Population
determined
by census.

Must have
approval of
public ex-
aminer.

Not less
than \$50,000
to be de-
posited with
state
auditor.

May increase
deposit of
securities.

organized and qualified to do business under this act, shall be allowed at any time hereafter to increase its deposits of securities with the state auditor, so that the whole deposit of such corporation shall amount to two hundred thousand (200,000) dollars, such excess of deposits over and above the amount required by this act to be kept on deposit may be in bonds of the character aforesaid; or in bonds or promissory notes secured by first (1st) mortgage or deeds of trust upon unincumbered real estate worth double the amounts of the obligations so secured.

SEC. 2. That section ten (10) of chapter one hundred and seven (107) of the General Laws of eighteen hundred and eighty-three (1883), as amended by chapter three (3) of the General Laws of eighteen hundred and eighty-five (1885), and by chapter two hundred and thirty-four (234) of the General Laws of eighteen hundred and eighty-nine (1889), and by section five (5) of chapter two hundred (200) of the General Laws of eighteen hundred and ninety-nine (1899), be, and the same hereby is amended, so as to read as follows:

Must be in-
vested at
once.

Section 10. Any sum of money not less than one hundred (100) dollars, which shall be collected or received by any such corporation, heretofore or hereafter organized in its capacity of executor, administrator, or guardian, or upon any deposit under any order of any court of record, and which money shall not be required for the purposes of such trust, or is not to be accounted for, within one (1) year from date of such collection, receipt or deposits, shall be invested by such corporation as soon as practicable, and in such securities as are mentioned in section four (4) of said act, as herein amended, either then held by it or then specially procured by it; and the net interest and profits of such investments, less the reasonable charges and disbursements of said corporation, in the premises, shall be accounted for and paid over as a part of such trust; and the net accumulations of such interest and profits thereon, shall likewise be invested and reinvested as a part of such principal. And such investments shall be received and allowed by the probate, or other court, in the settlement of such trust.

Interest to
be invested.

Keep sepa-
rate book of
account.

And every such corporation shall keep, in addition to its general books of account, separate trust account

book or books, in which shall be entered and kept all trust accounts. All such trust accounts shall at all times be kept separate and distinct from the general accounts of such corporation. All funds and property received or held by such corporation in any trust capacity, as administrator, executor, guardian, receiver, assignee, or trustee, shall be entered in such trust account books and be at all times kept separate and distinct from all other funds and property of such corporation.

Funds must be entered in trust account books.

All deposits in any bank, or other institution, made by such corporation, of funds received or held by it in any such trust capacity, shall be deposited as trust funds, and not in its individual name, but as trustee, and not in any account in which any of its own funds shall be deposited.

Shall be deposited as trust fund.

Every security in which such trust funds or property shall be by such corporation invested, shall at once be indorsed and transferred to it as trustee, executor, administrator, guardian, receiver or assignee, as the case may be, and entered in the proper books of such corporation as belonging to the particular trust the funds of which shall have been invested therein. And any change in such investment shall be credited, charged, or entered under or in the account of the particular trust to which the same belong, to the end that all trust funds, securities and property shall be at all times capable of immediate identification as belonging to the trust funds of said corporation separate and distinct from its general property and funds. If any special direction, agreement or trust is imposed upon, made or conferred in and by the order, judgment or decree of any court, or by the terms and conditions of any last will and testament, or other document, contract, conveyance, or other written instrument, as to the particular manner of keeping or investing, or as to the particular manner in which, or the particular class or kinds of securities, funds or property the same shall be invested in, then the said corporation shall follow and carry out such order, judgment, decree or other appointment, contract, deed, conveyance, or other written instrument.

Securities indorsed and transferred.

Corporation shall carry out orders of court.

SEC. 3. This act shall take effect and be in force from and after its passage, and all acts or parts of acts inconsistent with this act are hereby repealed.

Approved March 19, 1903.

H. F. No. 170.

CHAPTER 71.

An act to amend sections seven (7), eight (8), and fifteen (15) of chapter twenty-three (23) General Laws of eighteen hundred and sixty-seven (1867) as amended, entitled an act to provide for the incorporation of savings associations.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section seven (7) of the above mentioned act be and hereby is amended to read as follows :

Incorporation
of savings
associations.

Section 7. The general business and object of such corporation shall be to receive on deposit such sums of money as may from time to time be offered therefor by mariners, tradesmen, clerks, mechanics, laborers, minors, servants and others, and to invest the same for the use, interest and advantage of said depositors and their legal representatives as hereinafter prescribed by this act; and the said corporation shall receive on deposit all sums of money which may be offered for the purpose of being invested as aforesaid, which shall as soon as practicable be invested accordingly, and shall be repaid to such depositors when required, at such times, with such interest, and under such regulations as the board of trustees shall from time to time prescribe, which regulations shall be put in some public and conspicuous place in the room where the business of such corporation shall be transacted; but no by-law or regulation shall be adopted by said trustees whereby any sum amounting to one dollar or upwards shall be refused by such corporation, when offered as a deposit by any individual, and the regulations so adopted shall not be altered so as to affect any deposit previously made, except that a maximum sum to the credit of any one depositor may be established under the by-laws of the board of trustees.

All sums of-
ferred to be
received.

Maximum
sum to be
established

Officers
shall not
borrow
funds.

Rates of
interest.

No president, trustee or officer or servant of such corporation, shall directly or indirectly borrow the funds of such corporation, or its deposits, or in any manner use the same in their private affairs or business. All certificates or other evidences of deposit made by the proper officer of such corporation shall be as binding upon the corporation as if made under the common seal. It shall be the duty of the trustees of said corporation to regulate

the rates of interest to be allowed depositors; but said trustees shall receive no pay, salary, emolument or profit until after interest shall have been duly allowed the depositors at the rate and in accordance with the rules and regulations of the institution, established by the board of trustees.

SEC. 2. That section eight (8) of said chapter twenty-three (23) of the General Laws of the year eighteen hundred and sixty-seven (1867), as said section has since been amended, be, and the same is hereby further amended, so that hereafter it shall read as follows:

Section 8. At least half of the whole amount deposited shall be invested.

First—In the bonds or interest-bearing notes or obligations of the United States, or those for which the faith of the United States is pledged for the payment of the interest and principal.

Bonds
pledged as
security.

Second—In the bonds of any state in the Union, provided that such state has not within ten (10) years previous to making such investment by such corporation defaulted in the payment of any part of the principal or interest on any debts authorized by any legislature of such state to be contracted, and of the state of Minnesota, issued since one thousand eight hundred and sixty (1860).

Character
of bonds.

Third—In the bonds of any city, county, town, village or school district in the states of Minnesota, Wisconsin, Iowa, North Dakota, South Dakota, Illinois, Indiana, Ohio or Michigan, or in any warrants or interest-bearing obligations issued by the said states or counties in said states, or city or city board, town, village or school district within the county in which such banks shall be situated, or in the bonds of any city, county, town, village or school district of the United States, which city, county, town, village or school district had at least five thousand (5,000) inhabitants as determined by the state or United States census taken next preceding the issue of bonds tendered: *provided*, that the bonded indebtedness of any such city, county, town, village or school district so tendering bonds shall not exceed ten per centum upon the assessed valuation of such city, county, town, village or school district at the time of the issue of the bonds tendered.

Shall not
exceed 10
per cent of
assessed
value.

Fourth—In notes secured by mortgage on unincum-

Real estate
security.

bered real estate situate in the states of Minnesota, Wisconsin, Iowa, North Dakota or South Dakota, and worth at least twice the amount loaned thereon, but in case the loan is on unimproved or unproductive real estate the amount loaned thereon shall not be more than thirty (30) per cent of its actual value, and no investment in any bond and mortgage shall be made by any savings bank except upon the report of a committee charged with the duty of investigating the same, and who shall certify to the value of the premises mortgaged, or to be mortgaged, according to their best judgment, and such report shall be filed and preserved among the records of the institution.

Report of
committee
on valuation.

Railroad
bonds as
collateral.

Fifth—The remaining one-half ($\frac{1}{2}$) may be invested in said bonds or loaned on the aforesaid securities or upon approved personal or collateral security or in the bonds of any railroad company as hereinafter provided, or used to buy and sell exchange; but no loan shall be made upon the personal security of less than two responsible individuals.

Sixth—In the bonds of any railroad company, or the successor of any railroad company, which has received a land grant from the government of the United States, and which are secured by first lien upon its railroad.

Not failed
in payment
of dividends.

Seventh—In the bonds of any other railroad company, which are secured by first lien upon a railroad within the United States, or in the mortgage bonds of any such railroad company of an issue to retire all prior mortgage indebtedness of such railroad company; or in the bonds of any railroad company within the United States, which are guaranteed or assumed by another railroad company, within the United States; *provided* that the railroad company (except a railroad company whose bonds are guaranteed or assumed as aforesaid) either issuing, guaranteeing or assuming any of said bonds has not within five years prior to the time of making such investment by said bank failed in the payment of a dividend, upon its entire, capital stock outstanding, of not less than four (4) per cent per annum each fiscal year during said five year period; and has not within five years prior to the time of making such investment by said bank, defaulted in the payment of any part of the principal or interest of any debt incurred by it and secured by mortgage or trust deed upon its railroad, or any part thereof, or in the payment

of any part of the principal or interest of any bonds guaranteed or assumed by it; and *provided further*, that no savings bank shall ever loan upon, or invest in railroad bonds to exceed in the aggregate twenty (20) per cent of its deposit nor shall such savings bank ever loan upon or invest in the bonds issued or guaranteed or assumed by any one railroad company, to exceed in the aggregate five (5) per cent of its deposits.

Not to exceed 20 per cent of deposits.

SEC. 3. That section fifteen (15) of the above entitled act be, and the same is hereby amended to read as follows:

Section 15. The board of trustees shall on or before the first day of February in each year make a report in writing to the public examiner and in such form as he shall prescribe, of its condition on the morning of the first day of January preceding.

Report in writing.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

CHAPTER 72.

R

H. F. No. 146.

An act providing for the deposit of wills during the life of the makers in the office of the judge of probate of the county of the residence of the maker, and for the keeping and disposition of the same.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any will in writing, being inclosed in a sealed wrapper, and having indorsed thereon the name of the testator and his place of residence, and the day when, and the person by whom it is delivered, may be deposited by the person making the same, or by any person for him, with the judge of probate in the county where the testator lives, and the judge of probate shall receive and safely keep such will and give a certificate of the deposit thereof.

Deposit of wills.

SEC. 2. Such will shall during the lifetime of the testator be delivered only to himself, or to some person authorized by him by an order in writing, said order to be duly acknowledged and witnessed by at least two subscribing witnesses; and after the death of the testator, and at the first probate court session, after notice thereof,

Order for delivery of will.

it shall be publicly opened by the judge of probate, and be retained by him.

Probate
judge to
give notice.

SEC. 3. The judge of probate shall give notice of such will being in his possession to the executor therein appointed, if there be one, otherwise to the persons interested in the provisions of the will; or if the jurisdiction of the case belongs to any other court, such will shall be delivered to the executor named in said will, or to some other trusty person interested in the provisions of the same, to be presented to such other court.

Apply to
wills hereto-
fore deposited.

SEC. 4. The provisions of this act with regard to the care, custody and disposition of wills deposited in accordance with the provisions thereof with judges of probate shall apply to all wills heretofore deposited in the offices of judges of probate in this state.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

H. F. No. 133.

CHAPTER 73.

R

Boards of
education in
cities of
over 50,000
inhabitants.

An act entitled "An act empowering board of education in incorporated cities having over fifty thousand (50,000) inhabitants and constituting special or independent school districts to make rules and regulations for the government and management of schools and for the employment and examination of teachers therein."

Be it enacted by the Legislature of the State of Minnesota:

May employ
teachers and
make rules.

SECTION 1. Boards of education in incorporated cities having over fifty thousand (50,000) inhabitants and constituting special or independent school districts may employ superintendents and teachers and may make rules and regulations for the government of schools and for the employment and examination of teachers and prescribing their powers and duties; and prescribing the description, grading and classification of scholars and their management and the course of instruction and books to be used and other matters pertaining to the government and welfare of schools.

SEC. 2. This act shall not be construed as modifying or attempting to modify any charter adopted under and pursuant to section 36, article IV, of the constitution of

the State of Minnesota, as amended, and chapter 351 of the General Laws of 1899 and amendments thereto.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

CHAPTER 74.

H. F. No. 121.

An act authorizing appropriations by boards of county commissioners in counties now or hereafter having a population of one hundred and fifty thousand inhabitants or more, for public improvements in, or about navigable lakes.

Cities of
150,000 or
more.

03 c 74
107-NW 405
S-T, R.A.
(n s) 638

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That wherever there exists, in any organized county in the State of Minnesota now or hereafter having a population of one hundred and fifty thousand (150,000) inhabitants or more, a navigable lake, or lakes, which is, or are, wholly or for the greater part thereof within the territory or limits of such county (and which is, or are, not, either wholly or in part, within the corporate limits of any city in such county), the board of county commissioners of said county is hereby authorized and empowered to appropriate, each year, from the revenue fund of such county, such sums for public improvements on, in or about said lake or lakes as, in the opinion of said board may be necessary.

Commissioners authorized to appropriate money for improvement of navigable lakes.

Provided, That the total amount of said sum or sums so appropriated during the years one thousand nine hundred and three, one thousand nine hundred and four, one thousand nine hundred and five, shall not exceed the sum of ten thousand (\$10,000) dollars, in either of said years, and that the total amount of said sum or sums so appropriated shall not exceed the sum of five thousand (\$5,000) dollars in any year thereafter. *Provided, further*, that the question of population shall be determined by the official census next preceding any appropriation made under the provision of this act.

Not to exceed \$10,000 in any one year.

SEC. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

H. F. No. 110.

CHAPTER 75. *R*

An act to declare certain highways abandoned and vacated and to provide for the restoration of the use of the land to the owner.

Be it enacted by the Legislature of the State of Minnesota:

Applies to
counties of
200,000 or
more.

Discontinu-
ance of pub-
lic roads
or highways.

Posting of
notices.

Notice to
contain de-
scription of
road or
highway.

SECTION 1. That any public road or other highway or any part thereof in any county in this state having a population of two hundred thousand or more, and not within the limits of any incorporated city or village which has been acquired, or established by common law dedication, by prescription or by use and occupancy, under the statute, or in any manner other than by grant, by deed or by statutory proceedings of condemnation, or of which there is no public record, which shall have been or shall be unused as a route of public travel and on which no highway taxes have been or shall be expended for the period of three years, shall be deemed and are hereby declared to be discontinued, abandoned and vacated and the title and the right, to the use of the same, shall at once revert to the original owner, his successors or grantees without any proceeding to vacate except as herein-after provided.

SEC. 2. Any person having an interest in the land traversed by any such unused road or highway and claiming an abandonment of the same or any part thereof shall post at least six (6) notices in conspicuous places in the town through which said road passes. Two of which notices shall be posted, one at each end of such portion of such claimed abandoned highway, give thirty days' notice in writing to the board of supervisors of the town wherein the same is situated, notifying them of his claim of abandonment, before inclosing any such abandoned highway or doing any act which would render the same unfit for use as a public highway. *Provided, however,* that in cases where the same shall have been inclosed for three years or more at the date of the passage of this act, no such notice shall be required. Such notice shall contain a description of the highway or portion thereof upon which abandonment is claimed, which description may be in general terms without technical accuracy, but sufficient for identification. All inclosures of

such abandoned highways or fences across same shall be so constructed as to be conspicuous and safe.

SEC. 3. If any such board of supervisors, after having received the notice provided for in the preceding section, shall determine that any such highway or part thereof, described in such notice has not been abandoned as a public highway as provided in section one of this act, they shall, within thirty days from the date of the service of such notice upon them, so notify the person claiming the abandonment in writing and such person claiming such abandonment shall not inclose or in any manner interfere with such highway till the question of abandonment shall have been lawfully determined; and if such board of supervisors fail to serve the notice as provided in this section, they shall be deemed to have waived all right to question the abandonment of such highway or portion thereof.

Notice to be given in writing.

SEC. 4. Any justice of the peace or any court of record in any such county shall have power to hear and determine all questions of abandonment which shall arise under this act, with the usual right to the interested parties to appeal.

Under jurisdiction of justices of peace.

Provided, however, that nothing herein contained shall be construed to apply to any litigation now pending which involves the legality or validity of any such highways.

SEC. 5. All acts and part of acts inconsistent herewith are hereby repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

CHAPTER 76.

H. F. No. 107.

An act to appropriate money for betterments and repairs at the Minnesota State Training School, Red Wing.

Be it enacted by the Legislature of the State of Minnesota.

SECTION 1. The sum of \$5,000 is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, or so much thereof as may be necessary,

Appropriation for Minn. Training School.

to be used for repairs and betterments at the Minnesota State Training School for Boys and Girls, Red Wing, Minn.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

CHAPTER 77.

H. F. No. 90.

Legalizing
certificates of
sale.

An act legalizing official certificates of sale and the record thereof, heretofore made under mortgage powers, executions, judgments, orders and decrees, and prescribing the force and effect of such certificates and records.

Be it enacted by the legislature of the state of Minnesota.

SECTION 1. That in all cases where real property has heretofore been sold under a power of sale in the usual form contained in a duly executed and recorded mortgage or under a duly rendered judgment, order or decree of a court of competent jurisdiction or upon a valid execution, and an official certificate of such sale has been made, acknowledged and delivered by the proper officer to the purchaser, and such certificate has been duly filed for record and actually recorded, after the expiration of twenty days from the date of such sale or certificate, in the office of the register of deeds for the county within which said real property was situated, then and in every such case such official certificate, as well as such record thereof, is hereby legalized and made valid, and shall be effectual to all intents and purposes as of and from the date when such certificate was so filed for record, except as against any person who has purchased said real property or some part thereof from the former owner thereof in good faith and for a valuable consideration more than twenty days after such official sale, and without notice thereof, and before such certificate was so filed for record; and every such certificate and such record thereof shall be prima facie evidence that all requirements of law in that behalf were duly complied with, and of the validity of such sale.

SEC. 2. That in all cases where real property has, prior to the 31st day of July, A. D. 1866, been duly sold under a power of sale in the usual form, contained in a

Persons
who have
purchased
from former
owner ex-
cepted.

duly executed and recorded mortgage, or under a duly rendered judgment, order or decree of a court of competent jurisdiction or upon a valid execution, and an official certificate of such sale has been made, acknowledged and delivered by the proper officer to the purchaser, and such certificate has been filed for record and recorded in the office of the register of deeds for the county within which said real property was then situated, but no affidavits of the publication, posting and service of the notice of sale or affidavit of the officer making the sale have been made as required by law, or filed for record, then and in every such case such certificate so filed shall be prima facie evidence that the notice of sale was published, posted and served, and that the sale was in all respects made, as required by law.

Certificate to be prima facie evidence of legality.

SEC. 3. Nothing herein contained shall affect any action or proceeding now pending.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

CHAPTER 78.

H. F. No. 21.

An act to legalize in certain cases the transfer of cemetery property.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in any case where a cemetery corporation organized under the laws of this state has heretofore sold and transferred its cemetery property located in this state to another cemetery corporation organized under the laws of this state, such sale and transfer is hereby legalized and declared valid and effectual, and such grantee shall have the right to control, manage and dispose of same in accordance with the laws of this state relating to cemeteries; *provided*, that the provisions of this act shall not apply to any action or proceeding now pending in any of the courts of this state.

Sales of cemetery property legalized under certain conditions.

SEC. 2. That this act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

H. F. No. 569.

CHAPTER 79. *R*

An act to enable incorporated cities and villages to vote aid in certain cases.

Be it enacted by the Legislature of the State of Minnesota :

Enabling
cities to
vote aid.

Not to ex-
ceed 5 per
cent of val-
uation.

SECTION 1. Any incorporated city or village in this state containing a population of less than two thousand, and situated on a railroad line parallel with and not exceeding five miles from any other line of railway, in this state, is hereby authorized and empowered in the manner herein provided to aid in the construction of a switch or branch railroad to connect said city or village with such parallel line by the most direct and practicable route, said branch to be constructed by any railroad company for public use by authority of any law of the state. But no bond shall be issued by any city or village under the provisions of this act to an amount exceeding, together with its then existing indebtedness for that purpose, 5 per centum upon the value of the taxable property therein, the amount of such taxable property to be ascertained and determined by the last assessment of said property made for the purpose of state and county taxation previous to the incurring of such indebtedness.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 19, 1903.

H. F. No. 13.

CHAPTER 80. *R*

An act to create an additional judge for the Fourteenth judicial district of the State of Minnesota.

Be it enacted by the Legislature of the State of Minnesota :

Additional
judge for
14th
District.

SECTION 1. There shall be elected in the Fourteenth judicial district two judges of the district court of such district, either one of whom shall have and exercise the powers of the court as now prescribed by law relative to the present judge of said court, except as otherwise provided by this act; and all laws now in force, whether general or special, as to the qualification, election, canvass of votes, oaths and term of office, and commencement of

such term, compensation, jurisdiction, duties, authority and powers of the present judge of said district court shall apply to each of the judges of said court, and their successors shall be elected and vacancies in their offices filled as now provided in relation to the said judge of said court. *Provided, however,* that the present judge of said court shall be the judge of said court for the unexpired term for which he was elected and qualified, and until his successor is elected and qualified.

SEC. 2. The said judges may act in joint session for the trial or determination of any matter before the court, including the trial of jury cases; and when so acting, the judge senior in office, or if neither be senior in office, the judge senior in age shall preside; if there is a division of opinion, the opinion of the presiding judge shall prevail. Process may be tested in the name of either of said judges.

To act
jointly.

SEC. 3. The business of said court may be divided between said judges and otherwise regulated as they may direct by rule or otherwise, and each of the said judges may separately try court or jury cases, during the same term and at the same time.

SEC. 4. Upon the passage and approval of this act the governor of this state shall appoint an additional judge for said district court, who shall enter on the discharge of his duties as such judge on the first day of April, 1903, and who shall hold until the next general election, and until his successor is elected and qualified.

Governor
to appoint.

SEC. 5. This act shall take effect from its passage.

Approved March 24, 1903.

CHAPTER 81.

R

H. F. No. 67.

An act to create the office and to prescribe the duties of an additional judge for the Fifteenth judicial district.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That there shall be elected in the Fifteenth judicial district of said state two judges of the district court of such district, each of whom shall have and exercise the powers of the said court as now prescribed by law relative to the present judge of said court, except as

Creates
additional
judge 15th
district.

otherwise provided by this act; and all laws now in force, whether general or special, as to the qualification, election, canvass of votes, oath and term of office, and commencement of such term, compensation, jurisdiction, duties, authority and powers of the present judge of said district court, shall apply to each of the judges of said court, and their successors shall be elected, and vacancies in their offices filled as now provided in relation to the present judge of said court; *provided, however*, that the present judge of said court shall be judge thereof for the unexpired term for which he was elected and qualified, and until his successor is elected and qualified.

Judges to
act jointly.

SEC. 2. The said judges may act in joint session for the trial or determination of any matter before the court, including the trial of jury cases; and when so acting, the judge senior in office, or, if neither be senior in office, the senior in age, shall preside; and if there is a division of opinion, the opinion of the presiding judge shall prevail. Process may be attested in the name of either of said judges.

SEC. 3. The business of said court may be divided between said judges, and otherwise regulated as they may prescribe by rule or otherwise, and each of said judges may separately try court or jury cases during the same term or at the same time.

Governor
to appoint.

SEC. 4. That immediately upon the passage and approval of this act the governor of said state shall appoint a competent person as additional judge for said district, who shall immediately thereafter qualify and enter upon the duties of said office, and who shall hold the said office until the next general election, and until his successor is elected and qualified.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 24, 1903.

CHAPTER 82.

H. F. No. 96.

An act to legalize mortgage foreclosures by advertisement upon real estate in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. All mortgage foreclosures upon real estate situated in this state, in counties where the mortgaged premises have been set off into a new county subsequent to the recording of the mortgage, and where the notice of foreclosure heretofore made by advertisement omits to recite the book and page of the record of such mortgage in the new county, but does recite the book and page of the record of such mortgage in the county where the land was situated at the time such mortgage was recorded, and the statutory period for redemption from from which mortgage sale has expired, shall be sufficient for all purposes as against such omission, and the foreclosure based thereon shall not be affected by reason thereof.

Legalizing mortgage foreclosures in certain cases.

SEC. 2. This act shall not affect nor apply to any action now pending.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 25, 1903.

CHAPTER 83.



H. F. No. 196.

An act to authorize and empower the city council of cities in this state of over fifty thousand inhabitants to issue and sell municipal bonds, and to use the proceeds thereof for the purpose of providing armories for the national guard, and defining the powers of city councils in relation thereto.

03 c 83
93-M - 55
100-NW 659
97-M - 62
106-NW 106
97-M - 402
106-NW 477
5-LRA
(n s) 327

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. For the purpose of providing armories for one or more organizations of the national guard, whenever the city council of any city in this state having over fifty thousand inhabitants shall deem it expedient to purchase or erect an armory, it shall have the power and is hereby authorized to issue city bonds for the cost

Authorizing cities of over 50,000 to build armories.

Issuing
bonds
therefor.

of such building and site, in an amount not exceeding one hundred and fifty thousand dollars, notwithstanding any charter or other limitation or the bonded indebtedness of such city, or on the powers of the city council in relation thereto. Such bonds shall be of such denominations and payable at such places and at such times, not to exceed thirty years from date thereof, as it may determine, the interest thereon not to exceed four per cent per annum, with interest coupons attached, payable semi-annually. *Provided*, that in aid of the purchase or erection of such armory, any city may receive and accept grants or donations of a site or other property, and fulfill the conditions therein imposed when not inconsistent with the proper use of such armory by the national guard. "*Provided*, that no bonds shall be issued under the provisions of this act, by any city which heretofore has issued bonds to provide for the purchase of such site and the construction of such armory pursuant to the provisions of chapter thirty-three, General Laws of the State of Minnesota for the year 1902."

May accept
grants or
donations.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 25, 1903.

H. F. No. 325.

CHAPTER 84.

R

An act authorizing the transfer of records from one county to another in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

County com-
missioners
may transfer
records.

SECTION 1. The board of county commissioners of any county in this state from which another county has been heretofore or may be hereafter set off and divided may authorize the register of deeds to deliver to the register of deeds of the county so set off the original plats of record of lands, platted previous to such division and embraced in the territory, comprising said new county or certified copies thereof.

SEC. 2. The register of deeds of any county from which another county has been heretofore or may be hereafter set off shall, when authorized by the board of county commissioners, deliver to the register of deeds of the

Plats of
record.

county so set off the original plats of record of lands platted in the territory embraced in said new county, or certified copies thereof.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 25, 1903.

CHAPTER 85.

H. F. No. 318.

An act authorizing the expenditure of highway labor, poll tax, road tax, road or bridge money, upon cartways in counties having a population of two hundred thousand (200,000) inhabitants or over.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all counties within the State of Minnesota having a population of two hundred thousand (200,000) inhabitants or over, the town supervisors, in their respective towns, may, at their discretion in all cases, expend upon any cartway duly and legally established, or hereafter to be laid out and established by proper authority, any highway labor, poll tax, road tax, road or bridge money, the same as upon any highway in said town, as required by law pertaining thereto.

May expend money on cartways.

SEC. 2. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 25, 1903.

CHAPTER 86.

H. F. No. 335.

An act to prohibit the consolidation of the capital stock, lines, property, franchises, control, or the power of control, of parallel and competing lines of railroad.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The consolidation of the capital stock, lines, property, franchises, control, or the power of control, of two or more parallel and competing lines of railroad in the hands of any corporation, trustee, agent or

Forbids parallel railroads from consolidating.

representative of any corporation, wheresoever situated, is hereby prohibited and made unlawful.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 25, 1903.

H. F. No. 21.

CHAPTER 87. *R*

An act to amend section 6029 and 6033 of the 1894 General Statutes of the State of Minnesota, relating to the foreclosure of mortgages.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That subdivision "third" of section 6029 of the General Statutes of the State of Minnesota for 1894 be amended to read as follows:

Relating to
mortgage
foreclosures.

"Third. That the mortgage containing such power of sale has been duly recorded, and if it has been assigned, that all of the assignments thereof have been recorded; *provided*, that where the mortgage is upon land registered according to the provisions of chapter 237 of the General Laws of the State of Minnesota for the year 1901, it shall be sufficient if such mortgage, and all assignments thereof, shall have been filed with the register of titles provided for in said act, for the county where such land is situated, and memorials thereof entered upon the owner's duplicate certificate of title."

SEC. 2. That the paragraph marked "second" in section 6033 of the General Statutes of the State of Minnesota for 1894, be amended to read as follows:

Date of
mortgage.

"Second. The date of the mortgage, and when and where recorded, except in cases where the mortgage is upon lands registered according to the provisions of chapter 237 of the General Laws of the State of Minnesota for the year 1901, and is filed in the office of the register of titles; and in that case it shall state the date of the mortgage, when and where filed and the fact that the land described in the mortgage is duly registered pursuant to the said chapter 237."

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 25, 1903.

CHAPTER 88.

S. F. No. 290.

An act to legalize the levy for road and bridge purposes in any county in Minnesota for the year 1902 and prior years.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That the tax levy for road and bridge purposes as fixed by the commissioners of any county in the State of Minnesota for the year 1902 and prior years is hereby declared to be valid and of full force and effect. Tax levy made valid.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 25, 1903.

CHAPTER 89.

S. F. No. 238.

An act to amend the fourth subdivision of section 3071 of the General Statutes of 1894 relating to the incorporation of Young Men's Christian Associations.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That the fourth division of section 3071 of the General Statutes of 1894, be and is hereby amended so as to read as follows, to-wit: "Fourth—The number of its directors, not less than five nor more than thirty, who shall have the management and government of the affairs of said corporation; how and when the same shall be elected and the time and place of holding the annual meeting of the members." Incorporation of Young Men's Christian Ass'n.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 25, 1903.

S. F. No. 22.

CHAPTER 90. *R*

An act to amend section thirty-six (36) of chapter four (4) of General Laws eighteen hundred ninety-three (1893) entitled "An act to regulate elections."

Be it enacted by the Legislature of the State of Minnesota:

Regulating
elections.

SECTION 1. That section thirty-six (36) of chapter four (4), General Laws of eighteen hundred ninety-three (1893) be amended so as to read as follows:

Section 36. No certificate of nomination shall contain the name of more than one candidate.

Cannot
join in signing
certificate for
more than
one nominee.

No person shall join by certificate signed by electors in nominating more than one nominee for the same office unless more than one person is to be elected thereto, in which event he may sign as many certificates as there are officers to be elected. And no person who has voted at any primary election shall be eligible to sign any nominating certificate of any candidate for nomination for the same election for which said primary election was held.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 26, 1903.

S. F. No. 109.

CHAPTER 91.

Legalizing
corporations.

An act to legalize certain corporations organized under chapter 186 of the General Laws of 1885, and amendments thereto, and making their certificates of incorporation legal evidence.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That where any company or association organized under chapter 186 of the General Laws of 1885, and amendments thereto, has complied with section three of said chapter and filed its articles of incorporation for record in the office of the secretary of state, but has failed to file the same for record in the office of the insurance commissioner as required by chapter 104 of the General Laws of 1893, and whose articles of incor-

poration are now lost, such company or association shall be deemed as having complied with the law, and its incorporation is hereby legalized, and the same declared a body corporate, the same as though said articles had been filed with the insurance commissioner, in accordance with the provisions of chapter 104, of the laws of 1893, and any certificate of incorporation issued to any such company or association by the secretary of state, as provided by chapter 186, of the General Laws of 1885, shall be held to have the same effect as legal evidence and be treated in all ways the same as though the same had been issued by the insurance commissioner, as provided by chapter 104 of the General Laws of 1893.

When articles
are lost.

Have same
effect as
legal evi-
dence.

SEC. 2. This act shall not extend nor apply to any action or proceeding now pending in any court of this state.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 26, 1903.

CHAPTER 92.

H. F. No. 41.

An act to amend section thirty-six (36) of chapter one hundred seventy-five (175) of the General Laws of one thousand eight hundred ninety-five (1895), as amended by chapter two hundred fifty-eight (258) of the General Laws of one thousand eight hundred ninety-seven (1897), as amended by chapter one hundred ninety-eight (198) of the General Laws of one thousand eight hundred ninety-nine (1899), authorizing the organization of mutual creamery fire insurance companies and mutual retail hardware fire insurance companies.

Authorizing
organization
of mutual
insurance
companies.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section thirty-six (36) of chapter one hundred seventy-five (175) of the General Laws of one thousand eight hundred ninety-five, as amended by chapter two hundred fifty-eight (258) of the General Laws of one thousand eight hundred ninety-seven (1897), as amended by chapter one hundred ninety-eight (198) of the General Laws of one thousand eight hundred ninety-nine, be amended so as to read as follows:

"Sec. 36. No policy shall be issued by a purely mutual

Requires
300 separate
risks.

Creamery
companies.

Creamery
buildings.

No commis-
sion for
officer de-
termining
character
of risk.

Hardware
insurance.

fire insurance company hereafter organized until not less than seven hundred and fifty thousand (750,000) dollars of insurance, in not less than three hundred (300) separate risks upon property located in Minnesota, has been subscribed for and entered on its books, *Provided*, that mutual fire insurance companies hereafter organized for the purpose of writing fire insurance upon creamery and cheese factory buildings and their contents and equipments exclusively, may and are hereby authorized to issue policies when not less than fifty thousand (50,000) dollars in not less than twenty-five (25) separate risks upon creamery and cheese factory buildings or their contents and equipments, located in the State of Minnesota, has been subscribed for and entered on any such company's books. Such company shall be designated as "mutual creamery fire insurance companies," and shall issue no policy except upon buildings used for creamery and cheese factory purposes, and their contents and equipments. No officer or other person whose duty it is to determine the character of the risk, and upon whose decision the application shall be accepted or rejected by a mutual fire insurance company, shall receive as any part of his compensation a commission upon the premiums, but his compensation shall be a fixed salary and such share of the net profits as the directors may determine. Nor shall such officer or person aforesaid be an employe of any officer or agent of the company. The provisions of section thirty-six (36) do not apply to township mutual fire insurance companies. And *provided further*, that mutual fire insurance companies hereafter organized for the purpose of writing fire insurance upon the stock in trade, tools and fixtures of retail hardware dealers, or upon the store buildings containing the same, or upon dwelling houses and contents, when such building or dwelling house and contents is owned and occupied by the owner of such stock, tools and fixtures, or upon both such stock, tools, fixtures, buildings and dwelling house and contents, may and are hereby authorized to issue policies when not less than five hundred thousand (500,000) dollars of insurance, or not less than two hundred (200) separate risks upon such property, located in the State of Minnesota, has been subscribed for and entered upon such company's books.

Such companies shall be designated as "mutual retail hardware fire insurance companies," and shall issue no policy except upon the stock in trade, tools and fixtures, or upon the building containing the same, or upon the dwelling house and contents when the buildings or dwelling house is owned and occupied by the owner of such stock, tools, fixtures, or upon both such stock, tools, fixtures, buildings and dwelling house and contents. And *provided further*, that mutual fire insurance companies hereafter organized for the purpose of writing fire insurance upon printing material, machinery and stock in trade of newspaper publishers and printers, or upon buildings containing the same, or upon dwelling houses and contents, when such building or dwelling house and contents is owned and occupied by the owner of such printing material, machinery and stock in trade, or upon both such printing material, machinery, stock in trade, building, and dwelling house and contents, may and are hereby authorized to issue policies when not less than two hundred thousand (200,000) dollars of insurance in not less than two hundred (200) separate risks upon such property located in the State of Minnesota has been subscribed for and entered upon such company's books. Such companies shall be designated as "mutual publishers' fire insurance companies," and shall issue no policy except upon the printing material, machinery and stock in trade, or upon the building containing the same, or upon the dwelling house and contents, when the building or dwelling house is owned and occupied by the owner of such printing material, machinery, stock in trade, or upon both such printing material machinery, stock in trade, building, and dwelling house and contents.

Printing
offices.

Not less than
200 risks.

Upon
printing
offices, build-
ings and
dwelling
houses.

SEC. 2. * This act shall take effect and be in force from and after its passage.

Approved March 28, 1903.

H. F. No. 127.

CHAPTER 93.

R

Building and
loan asso-
ciations.

An act to amend chapter 233 of the General Laws of 1901, entitled "An act to revise and codify the laws relative to building, loan and savings associations doing a general business in the State of Minnesota."

Be it enacted by the Legislature of the State of Minnesota:

Name to
differ from
existing
corporations.

SECTION 1. That section two (2) of chapter two hundred and thirty-three (233) of the General Laws of 1901, be amended so as to read as follows:

Capital
stock.

Section 2. The name shall not be the same as, nor too closely resemble, that in use by any existing corporation, established under the laws of this state. The words, "building and loan association" or "savings and loan association" shall form a part of the same, and no corporation, not organized under this act, shall be entitled to use a name embodying either of said combinations of words; *provided*, that associations issuing permanent stock, and having at least \$500,000.00 of permanent stock subscribed, and not less than \$200,000.00 thereof paid in, may, by amendment to their articles of incorporation, adopt any name suitable to their class of business not prohibited by law.

Satisfactory
to directors.

SEC. 2. That section 4 of said chapter 233 be amended to read as follows:

Shares held
as collateral.

Section 4. For every loan made on real estate security, a note or bond, secured by first mortgage on real estate, shall be given, which security shall be satisfactory to the directors, and shall be accompanied by a transfer and pledge of the shares of the borrowers to the association. The shares so pledged shall be held by the corporation as collateral security for the performance of the conditions of said note or bond and mortgage, *provided* that the shares, without other security, may, in the discretion of the directors, be accepted as security for the loans for an amount not exceeding ninety (90) per cent of their withdrawal value as provided by this act. Any such associations may, subject to the approval of the public examiner, provide by contract with its borrowers that loans shall be fully paid at a definite period, upon receipt of a specified number of payments. Any such association may, subject to the approval of the public ex-

Approval of
public ex-
aminer.

aminer, provide for the adoption of the so-called divided mortgage plan, and any mortgage taken under such divided mortgage plan, which includes a senior mortgage, negotiable by such association for the borrowers, shall be deemed a first mortgage within the meaning of this act. Any such association may receive deposits, borrow money for any legitimate object of its incorporation, and invest its surplus money, not otherwise invested in mortgage loans, in the following securities, to-wit: (1) In the purchase of real estate at any tax sale held in any county of the state, or in the purchase from the state of any lands bid in for or by the state at any tax sale. (2) In bonds of the United States, or any bonds of this state or any other state of the United States. (3) In the bonds, warrants or interest-bearing obligations of any city, county, town, village or school district of the State of Minnesota having legal authority to issue the same; *provided*, that any such city, county, town, or village has at least two thousand (2,000) inhabitants, as determined by the last census of the United States, or this state, preceding the issue of the securities offered for sale, and *provided* that the bonded indebtedness of such municipality, including such securities offered for sale, shall not exceed the limitation of indebtedness provided by law for such municipality. (4) In notes or bonds, secured by first mortgages on real estate of a value satisfactory to the directors, made by persons other than members of the association.

Receive
deposits,
borrow
money.

Security.

Bonded in-
debtedness
not to exceed
limitations
of law.

SEC. 3. That section 6 of said chapter 233 be amended to read as follows: "Every corporation heretofore, or hereafter, incorporated under the laws of this state and governed by this act, having at least \$500,000 of permanent stock subscribed, and not less than \$200,000 thereof paid in, shall deposit and keep with the public examiner, in trust for all its members and creditors, \$200,000 in mortgage notes or bonds, and the mortgages given to secure the same, or in other securities in which such corporations are permitted to invest, pursuant to the provisions of this act."

Amount of
stock.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 28, 1903.

R

An act to provide for the bonding of counties to build county jails.

Be it enacted by the Legislature of the State of Minnesota:

Bonding
counties for
county jails.

Not to ex-
ceed 1 per
cent of
valuation.

When
payable.

Signed by
chairman
and auditor.

Authorized
to levy an-
nual tax.

SECTION 1. Every organized county in this state when the last assessed equalized value of all property as equalized by the state board of equalization, is between five million, five hundred thousand (\$5,500,000) dollars and six million (\$6,000,000) dollars, is hereby authorized to issue its bonds for the purpose of raising money to build and furnish a county jail therein, by conforming to the provisions of this act, whenever the board of county commissioners of such county shall determine by resolution duly passed and recorded, to raise a sum of money which shall be designated, in such resolution, within the limitations hereinafter provided, for the purpose of erecting and furnishing a county jail at the county seat of such county; *provided*, that the bond issue hereby authorized shall in no case exceed one (1) per cent of the taxable valuation of the county as shown by the last preceding assessment of the county.

SEC. 2. The denominations of said bonds shall be in such amounts, and shall be payable at such times, not less than two (2) nor more than ten (10) years from the date of their issue, as the board of county commissioners shall determine by the resolution of said board. The interest thereon at not exceeding five per cent per annum shall be paid annually at such place as shall be fixed by the resolution of said board.

SEC. 3. Said bonds shall be signed by the chairman of the board and countersigned and sealed by the auditor of the county, and shall have interest coupons attached thereto, which coupons shall be signed by said chairman and countersigned by the auditor of said county, and said auditor shall keep a true and correct record of all bonds issued under the provisions of this act, giving numbers, dates and amounts, to whom issued, and when payable.

SEC. 4. Said board and the proper authorities of said county shall, and they are hereby authorized and required to levy an annual tax on the taxable property of

said county, over and above and in addition to all other taxes required by law to be levied, sufficient to pay the interest accruing upon said bonds as it matures, and also to levy an additional tax sufficient in amount to pay the principal of said bonds at maturity, which tax shall be levied and collected in the same manner as other taxes are levied and collected.

SEC. 5. Before any such county shall be authorized to issue its bonds as herein provided, the board of county commissioners thereof shall give notice by publication for three (3) consecutive weeks, in at least one (1) weekly or daily newspaper printed and published in said county, and by a similar publication for the same length of time in at least one (1) weekly or daily newspaper printed and published at the capital of the state, which said newspaper shall be designated therefor by resolution of such board of county commissioners; that said board of county commissioners will receive bids for the sale of such bonds at the time and place to be named in said notice.

Notice by
publication
shall be
given.

To receive
bids.

SEC. 6. At the time and place named in such notice, the said board of county commissioners shall open and consider the said bids, and may thereupon award the sale of such bonds to the person, company or corporation offering to negotiate the same upon terms the most advantageous for the interests of such county, and within the limitations of this act; *provided*, that the said board of county commissioners may reject any and all bids offered for the purchase of said bonds if they deem the welfare of the county requires it.

May reject
bids.

SEC. 7. The moneys realized upon the sale of such bonds shall be placed in the county treasury and devoted so far as may be necessary exclusively to the purpose for which they were issued, and the residue thereof, after the costs and expenses incident to the erection of such jail shall have been duly paid and discharged, shall be paid into the county revenue fund of such county.

Money to be
placed in
county
treasury.

SEC. 8. Before any such jail shall be built by any such county, the board of county commissioners shall solicit detailed plans and specifications therefor from competent architects to be submitted to such board of county commissioners; *provided*, that no plans and specifications shall be accepted by said board of county commissioners which shall exceed the limitations of cost here-

Solicit plans
and specifica-
tions.

Publication
of notice.

in provided, not except upon and after at least four (4) weeks' notice that such board will receive and consider such plans and specifications; which notice shall be published for at least two (2) successive weeks in at least one (1) daily or weekly newspaper printed and published in said county, and one (1) weekly or daily newspaper printed and published at the capital of said state. The board may reject all plans and specifications submitted and readvertise for plans and specifications.

Let to lowest
bidder.

SEC. 9. The contract for the erection and building of such jail, and the building and erection thereof, shall be let to the lowest responsible bidder, or bidders, for the whole or any part thereof, and the board shall require a good and sufficient bond from any one with whom a contract shall be made for the whole or any part of the work of construction.

SEC. 10. This act shall take effect and be in force from and after its passage, and shall cease to be in force after one year from the date of the passage of this act.

Approved March 28, 1903.

H. F. No. 149.

CHAPTER 95.

R

Applies to
counties of
150,000 or
over.

An act relating to the levying of taxes for county purposes, and requiring certain statements and estimates, of the board of county commissioners preliminary to such levy, and limiting the power and authority of such board in the expenditure of money and in the making of contracts, and defining the duties of board of county commissioners, county auditors, and county treasurers, in relation thereto, and providing a penalty for the violation thereof, in all counties having one hundred and fifty thousand (150,000) inhabitants or more.

Be it enacted by the Legislature of the State of Minnesota:

Duty of
county com-
missioners.

SECTION 1. In all counties of this state at any time having a population of one hundred and fifty thousand (150,000) inhabitants, or over, according to the last then completed state or national census, it shall be the duty of the board of county commissioners thereof, when deciding upon the total amount of money necessary to be raised to meet the anticipated expenses of the county for the next ensuing year, to make an itemized statement cov-

ring all county expenditures for such year, divided into not to exceed twenty-five general subdivisions or funds, which amount shall be kept at the lowest practical limit, and in no case exceeding any maximum limit prescribed by law, and specifying, as near as possible, the specific amounts necessary for each purpose named therein, with appropriate titles for the funds indicative of the purposes for which the money is to be used. And said board of county commissioners shall, at the same time, make an estimate of all revenues the county will receive for the next ensuing year, exclusive of the revenues derived from taxation, and shall also estimate the amount of money, if any, that will be credited to the "suspense fund" at the end of the current fiscal year, as provided by section 5 of this act. Such itemized statement, together with said two (2) estimates, shall be embodied in and form a part of the official proceedings of said board and the amount finally determined upon and allowed to be raised by taxation, together with the amount of said two (2) estimates, shall, when the same has not been apportioned by law be apportioned by the county auditor into the several funds in the proportion and for the specific purposes designated by the board of county commissioners in its itemized statement aforesaid, as the basis for taxation for the ensuing year. *Provided, however,* that for the items for sinking funds, bonds, interest on bonds, salaries and all items the charges of which are fixed by law, the full amount actually required to meet such items shall be apportioned. The money so raised by the levying of taxes and from said estimated amount of all revenues which the county will receive for the ensuing year and said estimated amount in the "suspense fund"—when all is apportioned to the several funds as hereinbefore specified—shall be expended for the particular purpose designated, in said itemized statement and to which it is apportioned as aforesaid, and for no purpose in excess of the specific amount apportioned thereto.

Make estimates of all revenues

Shall be apportioned by county auditor.

Expended for purpose designated.

SEC. 2. One of the funds herein provided for may be designated "emergency fund," but no money shall be expended from said emergency fund except in cases of actual emergency, arising from unforeseen demands upon some other designated fund, which has become exhausted, and then only upon the unanimous vote of the board of county commissioners, upon which vote, and not before,

Unanimous vote of board.

said board will be authorized to transfer the amount necessary to meet such emergency to the fund from which such payment ought regularly to be made, and thereupon said authorized transfer shall at once be made by warrant upon the county treasurer.

Indicate
purpose of
warrant.

SEC. 3. It shall be the duty of the county auditor, in each warrant drawn by him upon the county treasurer, to indicate the purpose for which such warrant is issued and the fund from which it is paid, which in every instance shall be the fund upon which such warrant should be legally drawn and upon no other fund. It shall be the duty of the county commissioners, whenever a contract is awarded, to make an appropriation for payment of the same out of the proper fund, by resolution.

Duty of
commissioners.

Auditor
shall draw
warrant.

As soon as such appropriation has been made by the board, the county auditor shall draw a warrant on the proper fund and charge the same thereto and deliver it to the county treasurer, who shall pay the same at once.

Specify the
appropriation.

The county auditor shall immediately indorse the check and return it to the county treasurer, who shall give him a receipt therefor specifying the appropriation under a suitable name designating the purpose for which said appropriation has been made.

Open special
account.

The county auditor shall open a special account with each appropriation by crediting the amount to such special account under the general head of "Appropriation."

Commissioners
warrant.

When any part or all of said appropriation shall become due and be allowed by the board of county commissioners, a commissioner's warrant shall be issued for the same as provided by law, and shall be charged to its specific appropriation by the county auditor. The county treasurer need not keep the specific appropriations account separately, but shall keep a general appropriations account. If any balance shall be left in any appropriation account after the work is completed and paid for within the fiscal year the county auditor shall transfer the same by elimination back to the fund out of which it has been appropriated. If any balance shall be left in any appropriation account after the current fiscal year shall have expired, and the work shall have been completed and paid for, the county auditor shall draw his warrant therefor to the county treasurer, who shall give his receipt for the same and credit the amount to the county revenue fund, as other miscellaneous receipts are credited. It

Balances.

Credit to
county revenue
fund.

shall also be the duty of the county auditor to present, at each regular meeting of the board of county commissioners, a statement showing the apportionments made to each fund, as required by section 1 of this act, for the various county purposes for the current year, together with the actual balance, if any, remaining to the credit of each fund out of said apportionment, at the opening of business on the first day of the month of such regular meeting, and the amounts, if any, still unpaid on account of contracts, or on orders for all supplies, work, materials, labor or services already made or entered into by the board of county commissioners, so as to show not only the then present balance, if any, but also the balance when the appropriations for the contracts already made and entered into and orders gives are deducted, which statement shall be embodied in and form a part of the minutes of the official proceedings of said meeting.

Statement to
county com-
missioners.

SEC. 4. It shall be the duty of the county treasurer, as the disbursing officer of the county, to pay all warrants, duly and properly issued by the auditor, upon presentation to him, but only from the fund from which they are properly and legally payable, and from no other fund. In case of payments of money under any special contract entered into by the board of county commissioners, such payments shall be kept separate, under the name of the particular contract or account of which made, but under the general title of the fund from which such payment is legally made.

County
treasurer to
pay warrants.

SEC. 5. All moneys received from any source remaining unappropriated or unexpended and credited to any funds, at the end of the fiscal year of any such county, shall be transferred to a special fund to be designated "suspense fund." The amount of such suspense fund shall be apportioned on the first day of the succeeding fiscal year, to the different funds, in the same manner as the money raised by the tax levy and the other revenues of the county. The total amount so transferred to such suspense fund, as well as the amount previously estimated under section 1 of this act, to be in said suspense fund, shall be included in the official minutes of the next regular meeting of the board of county commissioners. *Provided, however,* that the amount that may actually be expended for any specific purpose, during any one fiscal year, shall not in any instance exceed the amount

Transferred
to "suspense
fund."

Not to ex-
ceed amount
apportioned.

apportioned for such purpose and shall be paid from the proper fund mentioned in the itemized statement, required by section 1 of this act, or any amendments thereof that may be required under section 6 of this act.

Duty of
county com-
missioners.

SEC. 6. It shall be the duty of the board of county commissioners to prepare and file with the board of tax levy or corresponding body, if any, in such counties, at its annual meeting, the itemized statement and also the two (2) estimates required by section 1 of this act to be made by said board of county commissioners, or any amendment thereof that may be required to be made by them by said board of tax levy or corresponding body, if any.

Maximum
rate of taxa-
tion.

SEC. 7. If, for any reason, the maximum rate of taxation for the various purposes respectively, for which the board of county commissioners are authorized to levy taxes, mentioned in said itemized statement, together with the estimated amount to be derived from all revenues of the county for the next ensuing year, exclusive of the revenues derived from taxation, and the amount estimated to the credit of the "suspense fund" at the end of the fiscal year, as provided for in section 1 of this act, does not, when all has been properly apportioned, provide an amount equal to the total amount mentioned in said itemized statement, required to be made by section 1 of this act, or any amendment thereof that may have been required by section 6 of this act, then it shall be the duty of the county auditor to reduce proportionately the several funds mentioned in said itemized statement, except for the items of sinking fund, bonds, interest on bonds, salaries and all other items, the charges for which are fixed by law, which said fixed items shall remain at the full amount required by law, and any reduction which may be necessary shall be made in the other items.

Duty of
county au-
ditor to re-
duce funds.

Except sal-
aries and
other items.

SEC. 8. It shall be the duty of the county auditor in all such counties, at the first regular meeting of the board of county commissioners in November of each year, to have ready for and present to said board, to be embodied in the official proceedings thereof, a statement showing the several amounts included in the said itemized statement, required by section 1 of this act, or amendment thereof, if any, under section 6 of this act, and in a parallel column the amounts of the several funds as they will be when the total tax levy for county purposes, as

Itemized
statement.

finally fixed and determined upon, together with the amount estimated to be in the "suspense fund" and the estimated amount of all revenues of the county for the ensuing year (exclusive of the revenues derived by taxation) when all have been properly apportioned to said funds, as by this act directed. The amounts so apportioned to said several funds will show the sum permitted to be expended for each of the specific purposes mentioned in said itemized statement during the next fiscal year of the county; *provided, however*, that the amount, so permitted to be expended for each specific purpose, shall, in no case, exceed the amount mentioned in such itemized statement, or any amendment thereof, made as aforesaid.

Expended for
specified
purposes.

SEC. 9. Any and all contracts entered into by the board of county commissioners which may provide for expenditures, during any one fiscal year, in excess of the amount apportioned as hereinbefore specified for the specific purpose, and the voting of any sum of money for any purpose whatsoever, in excess of the amount so specified for such specific purpose for any one fiscal year, shall be null and void. The county commissioners shall indicate upon the minutes of the proceedings of their meetings and in the official publication thereof the fund from which each claim allowed by the board is to be paid, the amount thereof, to whom payable, the purpose and account for which same was incurred, and no such claim shall be charged to, or paid, from any fund, except it be the fund to which it legally belongs.

Not to expend
money ex-
cept as speci-
fied.

Report in
proceedings
published.

SEC. 10. It shall be a misdemeanor for a county commissioner to contract, vote or bargain for the expenditure of any money from any fund the payment for which, including the amount already contracted, voted or appropriated, shall exceed in any one fiscal year the amount specifically apportioned to any such fund at the beginning of such fiscal year, as required to be done by the previous sections of this act.

Misdemeanor
to exceed
amount
apportioned.

SEC. 11. All acts and parts of acts, whether general or special, inconsistent with this act are hereby repealed.

SEC. 12. This act shall take effect and be in force from and after its passage.

Approved March 28, 1903.

H. F. No. 239.

CHAPTER 96. *R**An act relating to changing and vacating roads.*

Be it enacted by the Legislature of the State of Minnesota :

Vacating
roads.

Commissioners
or super-
visors have
authority.

SECTION 1. Whenever any road is changed by order of the board of county commissioners of any county, or the board of supervisors of any town, such road, as located prior to such change, shall remain open to public travel for two (2) years from date of order making such change; *provided*, that the board of county commissioners of such county, or the board of supervisors of such town, shall have authority to vacate such road at any time, when, in the opinion of such board, the road as changed is in a passable condition, and fit for public travel at all times of the year. *Provided*, that this act shall not apply to any road changed prior to the passage of this act.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 28, 1903.

H. F. No. 255.

CHAPTER 97. *R*

Improvement
of roads.

An act to authorize and empower the village council of any incorporated village in the State of Minnesota to appropriate money in assisting in the improvement and maintenance of roads and bridges thereon leading into any such village.

Be it enacted by the Legislature of the State of Minnesota :

Village coun-
cil have
authority.

Within two
miles of vil-
lage.

Not exceed
\$1,000 in any
one year.

SECTION 1. That the village council of any incorporated village in the State of Minnesota, is hereby authorized and empowered to appropriate and expend out of any funds then on hand in such village treasury, such reasonable sum, or sums, of money, as they may think proper for assisting in the improvement and maintenance of the roads and bridges thereon leading into and outside of any such village and within two (2) miles of the limits of said village.

SEC. 2. The amount of money to be so appropriated and expended shall not exceed the sum of one thousand

(\$1,000) dollars in any one (1) year. *Provided*, that nothing in this act shall be construed as prohibiting or limiting in any way any village in this state from issuing its bonds in such sums and in such amounts as it may see fit to aid in the construction and repair of bridges and roads within two (2) miles of the limits of any village.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 28, 1903.

CHAPTER 98.

H. F. No. 256.

An act to legalize and confirm certain acts of village councils of villages in the State of Minnesota, relating to the expenditure of money on roads and bridges thereon outside the limits of and adjacent to such villages.

Legalizing road and bridge appropriations.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the action of the village council of any incorporated village in the State of Minnesota in heretofore expending moneys to improve the roads, and bridges thereon, within two miles from the limits of and adjacent to any such village, be, and the same is in all things hereby legalized and made valid.

Two-mile limit.

SEC. 2. This act shall be in force from and after its passage.

Approved March 28, 1903.

CHAPTER 99.

R

H. F. No. 433.

An act to amend chapter sixty-six (66) of the General Laws of the State of Minnesota for the year one thousand eight hundred and ninety-nine (1899), being an act relating to the addition of territory to all incorporated villages of one thousand (1,000) inhabitants or over.

Addition of territory to villages.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter sixty-six (66) of the General Laws of the State of Minnesota for the year one thousand eight hundred and ninety-nine (1899), relating

In villages
of 1,000 and
over.

to the addition of territory to all incorporated villages of one thousand (1,000) inhabitants or over, be amended so as to read as follows:

Councils
may act.

Section 1. Whenever the majority of the owners of any property which has been platted into lots and blocks, or out lots, or the owner of any tract, piece or parcel of land abutting upon any incorporated village having one thousand inhabitants or over, whether such village is incorporated under the general or special laws, shall petition the village council to have such property annexed to the village, the village council may, by ordinance, declare the same to be an addition to such village, and thereupon such territory shall become a part of such village as effectually as if it had been originally a part thereof.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 28, 1903.

H. F. No. 514.

CHAPTER 100.

R

Change of
school district
boundaries.

An act to amend section three thousand six hundred and seventy-three (3673) of the General Statutes of the State of Minnesota for the year one thousand eight hundred and ninety-four (1894) relating to change of school district boundaries.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section three thousand six hundred and seventy-three (3673) of the General Statutes of Minnesota for the year one thousand eight hundred and ninety-four (1894) be and same is hereby amended to read as follows:

County com-
missioners
shall act.

SEC. 2. Upon the presentation of any petition respecting changes in the boundaries of school districts, the county commissioners shall appoint a time and place for hearing upon it, and shall cause to be posted a copy of the notice of such hearing, in some public place in each district to be affected by the proposed change, and cause to be served a copy thereof upon the clerk of each district to be affected, at least ten (10) days before the time appointed for such hearing. The posting of such copy of

notice shall be verified by the affidavit of the person posting the same, which said affidavit shall state the time and place of posting, and the serving of said copy of notice upon the clerk of each district shall be verified by the certificate of the county auditor.

Posting of
notices.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 28, 1903.

CHAPTER 101.

H. F. No. 637.

An act relating to the sheriff's residence and providing for the boarding of prisoners in counties having a population of not less than 75,000 inhabitants and not more than 150,000 inhabitants.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. In any county of this state having a population of not less than seventy-five thousand (75,000) inhabitants and not more than one hundred and fifty thousand (150,000) inhabitants in which a residence has been provided for the sheriff of such county in the building used for jail purposes, the sheriff thereof shall be entitled to the use of such residence already existing, together with light, heat and water, free of charge, and it shall be the duty of such sheriff or his deputy to reside in such residence;

Counties
between
75,000 and
150,000 in-
habitants.

Residence
for sheriff.

Provided, that from and after the first Monday in January, 1905, the said residence may be used for jail purposes if the board of county commissioners of such county find such use advisable. From and after said first Monday in January, 1905, the said county shall be under no obligation to provide a residence for such sheriff.

Used for
jail purposes.

SEC. 2. The sheriff of any such county shall have the duty of furnishing and serving to the prisoners confined in the county jail the food prepared for such prisoners, but such sheriff from and after the first Monday in January, 1905, shall receive no compensation therefor in addition to the salary fixed by law.

Providing
food for
prisoners.

SEC. 3. Up to and including the Sunday preceding the first Monday in January, 1905, the sheriff shall receive in addition to his salary fixed by law the sum of 10¢ per meal for boarding each prisoner confined in such

Compensation
of sheriff.

jail, said boarding to include the cost of food, preparation of same and fuel for kitchen range.

Utensils
furnished.

SEC. 4. At all times referred to in this act the county commissioners of any such county shall furnish to the sheriff in the building used for jail purposes a kitchen provided with appliances and utensils suitable for the preparation of food for the prisoners confined therein.

SEC. 5. From and including the first Monday in January, 1905, the boarding of prisoners confined in any such jail shall be governed by the provisions of this section.

Requisition
by sheriff.

The sheriff shall make his requisition upon the board of county commissioners for the supplies and provisions needed by him for boarding the prisoners quarterly in advance, at least fifteen days before the beginning of each quarterly period. Thereupon the county commissioners shall advertise for bids for the furnishing of such supplies, and the contract therefor shall be let by them to the lowest bidder. Any supplies found actually necessary by the sheriff during any quarterly period and not included in such requisition may be purchased by him and the cost thereof shall be audited and allowed by the board of county commissioners in the same manner and at the same time as other bills of the sheriff against the county are audited and allowed. At the end of each quarter the sheriff shall render a report to the board of county commissioners showing the quantity of supplies used during the preceding quarter and the quantity remaining on hand. His report shall also include the number of meals furnished during said quarterly period and the cost per meal for each prisoner. The county commissioners shall also furnish the fuel necessary for the preparation of the food for the prisoners upon the requisition of the sheriff. The sheriff may employ a cook or cooks to prepare the food for the prisoners, but the number of such employees and the compensation paid to each shall at all times be under the control of the board of county commissioners of such county.

Advertise
for bids.

Sheriff may
purchase.

Must render
report.

Fuel
furnished.

SEC. 6. All acts and parts of acts which conflict with any of the foregoing provisions are hereby repealed.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 28, 1903.

CHAPTER 102.

H. F. No. 241.

An act to appropriate money to pay newspapers of the state for the publication and distribution of the Laws of the extra session of 1902, and the official publication of the constitutional amendments prior to the general election of 1902.

Publication of laws.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the following sums of money, or so much thereof as may be necessary, be and the same is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, for the following purposes:

First—To the newspapers of the state for the publication and distribution of the laws of the extra session of 1902, the sum of twenty thousand dollars (\$20,000).

Appropriation for laws.

Second—For the official publication of the proposed amendments to the constitution of Minnesota, prior to the general election of 1902, the sum of fourteen thousand one hundred and twelve dollars (\$14,112).

Appropriation for constitutional amendments.

SEC. 2. This act shall take effect and be in force from and after its passage and publication.

Approved March 30, 1903.

CHAPTER 103.

S. F. No. 128.

An act to amend section six hundred and sixty-five (665) of the General Statutes of one thousand eight hundred and ninety-four (1894), as amended by chapter one hundred and nine (109) of the General Laws of one thousand eight hundred and ninety-seven (1897), as amended by chapter one hundred and seventy-seven (177) of the General Laws of one thousand eight hundred and ninety-nine (1899), as amended by chapter forty (40) of the General Laws of one thousand nine hundred and two (1902), relating to the pay of county commissioners.

Pay of county commissioners.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section six hundred and sixty-five of the General Statutes of one thousand eight hundred

and ninety-four (1894), as amended by chapter one hundred and nine (109) of the General Laws of one thousand eight hundred and ninety-seven (1897), as amended by chapter one hundred and seventy-seven (177) of the General Laws of one thousand eight hundred and ninety-nine (1899), as amended by chapter forty (40) of the General Laws of one thousand nine hundred and two (1902), be and the same is hereby amended so that the same shall read as follows:

Three dollars per day.

Section 665. The county commissioners shall each receive three (3) dollars per day for each day they are necessarily employed in transacting the county business, and 10 cents per mile for every mile necessarily traveled in going to and returning from the meetings of the board, or in the discharge of any official duty under the direction of the board, computed by the usual traveled route, but no commissioner shall receive pay for more than twenty-five (25) days' attendance at meetings of said board, or mileage for attendance upon more than six (6) sessions in any one (1) official year, nor pay for more than forty (40) days for all his services as commissioner in any one (1) year; and the county auditor, in drawing his warrant upon the county treasurer for the pay and traveling fees prescribed in this section, shall specify upon the face of such warrant the number of days of service and the amount of mileage for which such warrant is issued; and any county auditor who shall issue his warrant for the payment of any amount in excess of the pay and traveling the amount of such excess, to be deducted from his salary; *provided*, that whenever extra meetings of the board of county commissioners are rendered necessary to protect the property and interests of the county, because of the default, malfeasance or misconduct in office of any county officer, or because of the erection or repair of county buildings, the commissioners may receive mileage and pay for the attendance at so many meetings and so many days as are necessary for said session in excess of the limits hereinbefore prescribed. The provisions of this act shall not affect the pay and traveling fees of the commissioners of any county where the pay and fees are now provided for by a special law regulating the same. And *provided further*, that the provisions of this act, so far as the same limits the number of days in each year that such commissioners shall draw pay, or fixes the num-

Not to exceed 25 days per year.

Mileage.

Extra meetings.

ber of sessions for attendance upon which such commissioners shall be entitled to mileage, shall not apply to the commissioners of Otter Tail County. *Provided further*, that the number of days for which said commissioners shall draw pay shall not exceed sixty (60) days in one (1) year. And *provided further*, that the provisions of this act, so far as the same limit the number of days in each year that such commissioners shall draw pay or fix the number of sessions for attendance upon which such commissioners shall be entitled to mileage, shall not apply to the commissioners of Wright County. And *provided further*, that the number of days for which said commissioners shall draw pay shall not exceed thirty-five (35) days in any one year. And *provided further*, that the provisions of this act, so far as the same limit the number of days that such commissioners shall draw pay, or fixes the number of sessions for attending upon which such commissioners shall be entitled to mileage, shall not apply to counties where the population exceeds twenty-eight thousand inhabitants, which shall be ascertained by the last preceding census. *Provided further*, that the number of days for which any commissioners shall draw pay in any county in this state where the population exceeds twenty-eight thousand inhabitants which shall be ascertained by the last preceding census, shall not exceed forty (40) days in any one (1) year. *Provided further*, that the provisions of this act shall not affect the pay and traveling fee of the commissioners of any county where pay and fees are now provided for by a special law regulating the same. *Provided further*, that in any county in which the duty of building and keeping in repair the public bridges of such county is imposed by a special law upon the county commissioners of such county, such commissioners may severally draw pay for all services actually performed as such commissioners for not exceeding fifty (50) days in any one (1) year; *provided further*, that if any commissioner's district contains a city of more than five thousand (5,000) inhabitants the compensation of the commissioner for such district shall be such sum as may be fixed at the first meeting of the board of county commissioners in each year, and shall not exceed the sum of two hundred and fifty (\$250) dollars per year. *Provided further*, that in all counties in this state wherein the actual assessed valuation of all real and

Not apply to
Otter Tail
county.

Not apply to
Wright
county.

Counties ex-
ceeding
28,000
inhabitants.

Counties
with special
laws ex-
cepted.

Not exceed-
ing 50 days in
certain cases.

Entitled to
60 days'
service.

personal property is more than ten million (10,000,000) dollars and does not exceed twenty million (20,000,000) dollars, each of the county commissioners of such county except the chairman of the board of commissioners shall be entitled to receive pay for not exceeding sixty (60) days' service as such commissioner in each year, and that the chairman of the said board of county commissioners shall be entitled to receive pay for not exceeding seventy (70) days in each year.

Only applies
to certain
counties.

Provided, that the provision hereof granting pay for not exceeding sixty (60) days to each county commissioner, except the chairman, and for not exceeding seventy (70) days for said chairman, shall only apply to counties in this state having said assessed valuation as aforesaid, wherein the boards of county commissioners, either by general or special law, are required to look after and superintend the expenditure of any county moneys voted by them upon the basis of the assessed valuation of real estate in said county to aid in the repair or construction of roads and bridges in their respective counties, and *provided further*, that in any county where county commissioners have done any work or rendered any service in relation to public ditches, under the laws of this state, the time so spent shall not be included in the number of days for which they are allowed to draw pay. *Provided further*, that this act shall not apply to the compensation of any county commissioners designated under the special laws to act for any board of county commissioners in relation to the care of the poor, at a compensation fixed by law. And provided further, that in any county of this state whenever said county has a population of more than one hundred fifty thousand (150,000) but less than two hundred thousand (200,000) inhabitants, the county commissioners thereof shall receive as compensation for such services six hundred (600) dollars per annum each, and no more, payable in monthly installments out of the county treasury of such county, upon warrants of the county auditor thereof, and which amount shall be in full for all services of any nature and in any capacity of such county commissioners. And *provided further*, that in all counties of this state having a population of two hundred thousand (200,000) inhabitants or more, the county commissioners of such county shall receive twelve hundred (1200) dollars per annum each, payable in monthly in-

Service on
public
ditches.

Care of
poor.

Compensation
of \$600 per
year.

Counties of
200,000 in-
habitants.

stallments out of the county treasuries of such counties upon warrants of the county auditors thereof, which amount shall be in full for all services of such commissioners, including service upon committees and as members of the board of equalization, and of any other work or duty devolved upon them or either of them by reason of their holding such office of county commissioners, as well as all traveling expenses incurred within said counties while performing such services as county commissioners. And *provided further*, that this act shall not be construed as affecting or repealing any of the provisions of chapter forty-five (45) of the General Laws of one thousand nine hundred and one (1901).

Compensation
\$1,200 per
year.

Includes
traveling
expenses.

SEC. 2. All acts and parts of acts inconsistent with the provisions hereof are hereby repealed, except as herein otherwise provided.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 30, 1903.

CHAPTER 104.

R

S. F. No. 182.

An act to amend chapter one hundred and eighty-three (183) of the General Laws of eighteen hundred and ninety-nine (1899), being an act to regulate the sale of binding twine manufactured at the state prison at Stillwater.

Binding
twine sales.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter one hundred and eighty-three (183) of the General Laws of eighteen hundred and ninety-nine (1899) be and the same hereby is amended so as to read as follows:

"The price of binding twine manufactured at the state prison at Stillwater shall be fixed by the warden and board of control of state institutions each year as soon as practicable, and not later than March first, and shall be sold only to farmers or actual consumers thereof, in quantities necessary for their own use, up to and including the first day of May of each and every year, and shall be sold only for cash, or on such security as the warden of the state prison may approve.

Price fixed
by warden.

Sold for
cash.

SEC. 2. All the twine on hand on the first day of May of any year for which no order has been given by farmers

May be disposed of in bulk.

or actual consumers (except five hundred thousand pounds (500,000) to be kept to fill subsequent direct orders), may, after said date, be disposed of by the warden and board of control of state institutions, in bulk to any citizen of the state applying therefor, at the price fixed by the board of managers, but only on the conditions hereinafter named.

Written agreement to resell.

Such warden and board of control of state institutions shall require from any such person applying to obtain such twine on [in] a written agreement that he will resell such twine to actual consumers who desire the same for their own actual use, and that he will not resell such twine in bulk to any other dealer, or attempt to evade the provisions of this act. Such person shall further agree that he will so resell such twine to actual consumers at a price not greater than one cent per pound above the price paid therefor, with the cost per pound of transportation from the state's prison to the place of resale added. And, for the purpose of enforcing such contract, the state shall have a contingent interest in the twine so disposed of in bulk until the same is resold as herein provided, and the title to such twine so purchased from the state shall become complete and the purchaser be relieved from further accountability under this act only when he has fully complied with his said contract as to the manner and terms of such resale. Such person shall also be required by said warden and board of control of state institutions to keep such state prison twine separate from any other twine he may have on hand for sale, and to keep a correct record of the date, amount, price and name of the purchaser on all sales thereof made by him, which record shall be open at all times to any state's prison official or the county attorney of the county of his residence. In the sale, distribution and disposition of the twine the board of control of state institutions and warden of the state prison shall apportion and divide the same throughout the several agricultural counties of the state, as near as may be, according to the acreage therein of grain requiring the use of binding twine. If any twine remains on hand unsold after July first in any year, the same may be sold absolutely to the first applicant therefor.

State retains contingent interest.

Keep twine separate.

Apportion according to acreage.

Penalty of violation.

SEC. 3. Any violation of the provisions of this act on the part of any person or persons selling binding twine

manufactured at the Minnesota state prison at Stillwater shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars (\$25) nor more than three hundred dollars (\$300), and costs of prosecution, or in lieu of such fine and costs, be imprisoned in the county jail for a term not less than thirty (30) days nor more than three months, or until such fine and costs are paid, not exceeding three months.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 30, 1903.

CHAPTER 105.

H. F. N. 71.

An act to amend chapter three hundred and fifty-three (353) of the General Laws of Minnesota of the year nineteen hundred and one, entitled "An act authorizing appropriations by board of county commissioners to reimburse certain persons for money illegally collected from them as probate fees under and by virtue of chapter 103 of the General Laws of 1885."

Probating
estates, fees.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter three hundred and fifty-three of the General Laws of Minnesota of nineteen hundred and one, be amended so as to read as follows:

SEC. 2. That whereas, the supreme court of this state, in the case of the State of Minnesota ex rel., Edward E. Davidson vs. E. S. Gorman, Judge of Probate, decided that the law of 1885, chapter 103, of the General Laws of Minnesota, requiring payment of an arbitrary fee as a condition precedent to probating an estate, was and is unconstitutional and void; and, whereas, pursuant to said chapter 103 certain executors, administrators, trustees and estates were compelled to pay into the county treasury of certain counties various sums of money for probating estates; and, whereas, it appears by reason of said decision of the supreme court that said chapter 103 is and is invalid, and that said sums of money were unlawfully collected and that the said counties have no right to retain the various sums so paid in; now therefore, be it enacted by the legislature of the State of Minnesota:

Reference to
supreme
court
decision.
State of
Minnesota
ex rel.,
Edward E.
Davidson vs.
E. S. Gor-
man, Judge
of Probate.

Refunding
of money
paid into
county treas-
ury in coun-
ties of 150,000
and over.

In all other
counties.

Money paid
to legal heirs,
in case of
administrators,
discharge.

May be three
payments.

SEC. 3. That upon proof being duly made of the amount paid into the county treasury of any county in this state, having a population of one hundred and fifty thousand or more, by any administrator, executor, trustee, heir or heirs, legatee, or their successors or estates, as an arbitrary fee as a condition precedent to probating an estate under said chapter 103, that the board of county commissioners of such county shall appropriate from the general fund of the county a sum sufficient to reimburse such administrator, executor, trustee, heir or heirs, legatee or estate for such payment or payments made under said chapter 103. In all other counties of this state the board of county commissioners are hereby authorized and empowered to make such appropriations. *Provided*, that no such appropriation in any one case shall exceed in amount the sum so paid into the treasury by such administrator, executor, trustee, heir or heirs, legatee or estate. And the county treasurer shall pay the sum or sums so appropriated by the board of county commissioners, pursuant to this act, and in case such administrators, executors, trustees, or legal representatives have completed their said trusts and been legally discharged, that such money shall be paid to the legal heirs or legatees of said estate or estates. *Provided*, that the county commissioners in refunding any money pursuant to the provisions of this act, if they elect so to do, may make it payable in three consecutive annual installments.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 31, 1903.

H. F. No. 159.

CHAPTER 106.

R

An act regulating commitment of persons to the hospital for the insane.

Be it enacted by the Legislature of the State of Minnesota:

Commitment
of insane
persons who
cannot be
benefited, not
to be.

SECTION 1. No harmless person, who cannot be benefited by hospital treatment, shall be committed to any hospital for the insane merely because he is suffering from idiocy, epilepsy, imbecility or infirmity of old age.

Every jury appointed to examine an alleged insane person, in addition to the facts by law required to be ascer-

tained, shall ascertain and determine whether or not such patient can be benefited by hospital treatment.

SEC. 2. The superintendent of any hospital for the insane, with the approval of the board of control, may at their discretion discharge or parole any inmate of such institution who is capable of caring for himself or can be cared for by relatives and who is not dangerous to himself or the community. Whenever such discharge is made, notice thereof shall be given to the probate court that committed such person to such institution.

Superintendent may discharge, in certain cases.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 31, 1903.

CHAPTER 107.

R

H. F. No. 270.

An act relative to plats of towns and cities in this state, and of additions to and subdivisions thereof, and the correction and legalization of the same.

Plats of towns and cities, additions and subdivisions.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all cases where the plats or what purport to be plats of any towns or cities in this state, or of additions to or subdivisions thereof, or copies thereof, made before the government survey of such land, fail to identify and show correctly upon their face the tract of land covered or intended to be covered thereby, the surveyors, or one of them, who laid out or surveyed the same, and, in case said surveyor or surveyors shall have died, one or more of the original proprietors, may make and file in the office of the register of deeds of the county in which said lands are situated a certificate duly executed and acknowledged by him or them, as deeds are to be executed or acknowledged, wherein shall be set forth a full description of the lands actually covered and intended to be covered by said plat. If such certificate be made by a proprietor or proprietors of such town, city, addition or subdivision, the same shall also be sworn to by him or them as being correct in all respects. And such certificate, so executed, acknowledged and verified, shall be recorded at length by said register of deeds in a book by him provided for that purpose, entitled, "Book of Plat Certificates," and said register of deeds shall thereupon

Made before government survey, failure to identify.

How corrected.

Record.

"Book of plat certificates."

Certificate
prima facie
evidence.

note upon such plat and the copy thereof, filed in his office as aforesaid, and referred to in such certificate and affidavit, the fact of filing such certificate, and the book and page where recorded; and he shall receive from the person offering said certificate for record the fees provided by law for similar services. And such certificate or the record thereof shall, together with such plat, be prima facie evidence in all cases as to lands covered by said plat.

County, or
city engineer.

SEC. 2. And in case said surveyor or surveyors, and the original proprietors, shall have died, then the village or city council of the city or village of which the land covered by said plat forms a part, may, upon the petition of one or more of the owners of any lot or lots within the land covered by said plat, instruct and request the county surveyor, or in case such city or village has its own civil engineer, then such engineer, to ascertain the full and proper description of the lands actually covered and intended to be covered by said plat, and report his findings to said council. If said council finds such report satisfactory, the same shall be duly approved by the president or vice president, and thereupon such report, together with the petition of the land owners and the order of the council to the surveyor, shall be recorded at length in the office of the register of deeds as hereinbefore provided, with reference to surveyor's or proprietor's certificate, and the record of such petition, order and report shall, together with such plat, be prima facie evidence in all cases as to lands covered by said plat.

Approval.

Record.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 31, 1903.

H. F. No. 168.

CHAPTER 108.

R

Savings
banks, invest-
ments.

An act to amend section 2562, Statutes of Minnesota, 1894, as amended, relating to savings banks and their investments.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section two thousand five hundred sixty-two (2562), Statutes of Minnesota, 1894, as amended, relating to savings banks and their invest-

ments, be and the same is hereby amended so as to read as follows:

Section 2562. It shall be lawful for the trustees of any savings bank to invest the moneys deposited therein only as follows, to-wit:

Lawful for trustees to invest:

1. In the bonds or other interest-bearing obligations of the United States, or in securities for whose payment of principal and interest the faith of the United States is pledged.

In U. S. securities.

2. In the bonds of any state in the United States which has not defaulted in the payment of any bonded debt within ten years prior to the time of its making such investment.

State bonds, when.

3. In the bonds of any city, county, town, village, school district, drainage district or other district created pursuant to law for public purposes or improvements in the states of Minnesota, Wisconsin, Iowa, North Dakota and South Dakota, or in any warrant, order or interest-bearing obligation issued by the state, city (or any city board), township or county within this state; or in the bonds of any city, county, town, village, school district, drainage district, or other district created pursuant to law for public purposes or improvements in the United States which had at least thirty-five hundred (3500) inhabitants, as determined by the state or United States census taken next preceding the issue of such bonds; *provided*, the bonded indebtedness of any such city, county, town, village, school district, drainage district or other district shall not exceed ten per centum upon its assessed valuation.

City, county, town, village, school, drainage or other district, in certain states, in certain cases.

4. In notes secured by mortgages on unincumbered real estate situated in the States of Minnesota, Wisconsin, Iowa, North Dakota and South Dakota, worth, when improved, at least twice, and when unimproved, at least thrice the amount loaned thereon; but not to exceed seventy per centum of the whole amount of the moneys of the bank shall be so loaned; and no such investment shall be made except upon the report of a committee charged with the duty of examining the same, who shall report to each bank the value, according to their judgment, of the premises to be taken as security, which report shall be preserved among its records.

Unincumbered real estate, securities in certain states, under certain conditions.

5. In notes secured by at least two sureties, or by such bonds or mortgages as by the terms of this section sav-

Secured notes, conditions.

ings banks are authorized to invest their moneys in, but no such bond or mortgage shall be taken as collateral security for more than its par value, nor shall the aggregate amount of any such securities be less than the full amount loaned thereon. No indorsed loan, or loan secured by collateral, shall be made for a longer time than one year, nor in a greater amount to any one person than one-half of one per centum of the total deposits of the savings bank making the loan. Nor shall any savings bank loan under this paragraph in the aggregate to exceed one-fourth of its deposits.

R. R. bonds,
when.

6. In the bonds of any railroad company, or the successor of any railroad company, which has received a land grant from the government of the United States, and which are secured by first lien upon its railroad.

Bonds of
any R. R.,
when.

7. In the bonds of any other railroad company which are secured by first lien upon a railroad within the United States, or in the mortgage bonds of any such railroad company of an issue to retire all prior mortgage indebtedness of such railroad company; or in the bonds of any railroad company within the United States which are guaranteed or assumed by another railroad company within the United States; *provided*, that the railroad company (except a railroad company whose bonds are guaranteed or assumed as aforesaid), either issuing, guaranteeing or assuming any of said bonds has not within five years prior to the time of making such investment by said bank failed in the payment of a dividend upon its entire capital stock outstanding of not less than four (4) per cent per annum each fiscal year during said five-year period, and has not within five years prior to the time of making such investment by said bank defaulted in the payment of any part of the principal or interest of any debt incurred by it and secured by mortgage or trust deed upon its railroad, or any part thereof, or in the payment of any part of the principal or interest of any bonds guaranteed or assumed by it; and *provided further*, that no savings bank shall ever loan upon, or invest in, railroad bonds to exceed in the aggregate twenty (20) per cent of its deposits; nor shall such savings bank ever loan upon or invest in the bonds issued, guaranteed or assumed by any one railroad company to exceed in the aggregate five (5) per cent of its deposits.

Proviso.

Loans not
to exceed
certain per
cent of
deposits.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 31, 1903.

CHAPTER 109.

H. F. No. 1.

An act to amend section 2 of chapter 256 of the General Laws of 1901, relating to the abolishment of road overseers of highways in such counties.

Highway road overseers.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one (1) of chapter two hundred fifty-six (256) of the General Laws of 1901, be amended to read as follows:

Section 1. That in all counties in this state now having or which shall hereafter have, a population of 150,000 or more, there shall hereafter be no highway labor assessed and all road taxes hereafter assessed by the township supervisors shall be paid in cash and shall be expended under the supervision and direction of the township supervisors.

Road taxes, to be paid in cash in counties of over 150,000.

SEC. 2. In all such counties the office of overseer of highways, provided in section 928 of the General Statutes of 1894, is hereby abolished and in lieu thereof, each of the boards of supervisors shall appoint not exceeding three (3) overseers of highways for its township, except in counties having a population of 200,000 or over. Each of said boards of supervisors shall appoint not to exceed four (4) overseers of highways, who shall under the direction of the board of supervisors, have supervision and direction of the construction, maintenance and repair of all highways and bridges under the control of the township supervisors.

Office of overseer abolished.

SEC. 3. The overseer or overseers so appointed shall receive as full compensation for his service not to exceed the sum of \$2.50 per day for the time actually employed in the performance of his duties.

More than one to be appointed.

SEC. 4. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 5. This act shall take effect from and after its passage.

Compensation.

Approved March 31, 1903.

H. F. No. 506.

CHAPTER 110. *R*

Township
mutual insur-
ance compa-
nies.

An act to amend sections 3237 and 3238 of title 6 of chapter 34 of the General Statutes of Minnesota for the year 1894, and section 3243 of title 6 of chapter 34 of the General Statutes of Minnesota for the year 1894, as amended by chapter 172 of the General Laws of 1901, relating to Township Mutual Insurance companies and regulating insurance by such companies.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section 3237 of title 6, chapter 34 of the General Statutes of Minnesota of 1894, be and the same is hereby amended to read as follows :

President
and secretary
may accept
applications
and issue
policies.

Section 3237. The president and secretary of such company may pass on and accept all applications for insurance and sign and issue the policies, agreeing in the name of the company to pay all losses or damages which may be sustained by fire or lightning, for a term not exceeding five (5) years, by the holders of such policies, and not exceeding the sum named in such policy, and all applications for insurance given to or made to any agent or officer of such company authorized to solicit membership in said company, or to solicit business for the same, shall, until refused and reached by the proper officers of any such company, be deemed to be of the same force and effect as a regularly issued policy and contract of insurance, and from the time of the receipt of any application for insurance by any such officer or agent of any company, the goods and property of the person making the application shall be deemed to be insured against loss and damage by fire or lightning, in the same manner and to the same extent as if covered by a regular policy issued in conformity to the rules and regulations of any such company to the laws of the state; *provided, however,* that there shall be no liability on any such application against any company that has not at an annual or special meeting, by proper resolution, adopted the plan of making all such applications of equal force and effect with regularly issued policies

Application
taken by
authorized
agent—ef-
fective until
refused by
proper
officer.

Exception.

SEC. 2. That section 3238 of the General Statutes of Minnesota for 1894 be, and the same is hereby amended to read as follows :

Section 3238. Every person making application for insurance in any such company shall embody in such application his undertaking binding himself, his heirs and assigns, to pay his pro rata share to the company of all losses or damages by fire or lightning, which may be sustained by any member thereof; and every such application shall, within reasonable time after the execution thereof, be filed in the office of the secretary of said company, and shall remain on file in such office except when required to be produced in court as evidence. He shall, also, at the time of effecting such insurance, pay such percentage in cash, and such reasonable sum for a policy, as may be required by the rules or by-laws of the company.

Application
to find heirs
and assigns.

Application
to remain on
file.

SEC. 3. That section 3243 of the General Statutes of Minnesota for 1894 as amended by chapter 172 of the General Laws of Minnesota for 1901 be, and the same is hereby amended to read as follows:

Section 3243. No company formed under this act shall insure any property out of the limits of the town or towns in which such company is located, except as provided in section 3231 of the General Statutes of Minnesota of 1894, or except as hereinafter provided; nor shall they insure any property other than dwellings and their contents and farm buildings and their contents, and live stock, and hay, and grain in the bin or stack, churches or schoolhouses, society and town halls, country blacksmith shops and their contents, parsonages and their contents, and the barns and contents used in connection therewith, and buttermakers' dwelling houses and contents and barns and contents used in connection therewith.

Property
out of town
limits not to
be insured,
exceptions.

Class of
property to
be insured.

SEC. 4. Such town insurance companies may insure joint or partial risks in conjunction with adjoining companies of the same class, and in insuring partial risks such companies are not confined to the town or towns in which they are otherwise authorized to do business; but no such insurance of a joint or partial risk shall be valid or binding upon the company insuring the same until it shall have been approved by any and all such companies holding prior risks on the property so insured, and the total amount of such joint insurance on any one piece of property shall in no case exceed the total percentage of its value for which such property is insurable by such company.

Joint or
partial risks.

Approval.

SEC. 5. Any town insurance company may by author-

Emergency
fund.

ity of its board of directors, collect by advance assessment and maintain in the hands of its treasurer an emergency fund not exceeding in amount two (2) mills on a dollar on the total amount of insurance in force, to be used in payment of losses and for such other purposes as money heretofore collected by assessments may be used for.

SEC. 6. All acts and parts of acts inconsistent with any of the provisions of this act are hereby repealed.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved March 31, 1903.

H. F. No. 364.

CHAPTER III.

Incorporation
of villages.

An act to legalize the incorporation of certain villages, attempted under chapter one hundred forty-five (145) of the General Laws of one thousand eight hundred and eighty-five (1885) and the several acts amendatory thereof, and also to legalize the acts of said villages.

Be it enacted by the Legislature of the State of Minnesota:

Attempted
incorporation
legalized.

SECTION 1. That in all cases where there may have been an incorporation heretofore attempted under the provisions of chapter one hundred forty-five (145) of the General Laws of one thousand eight hundred eighty-five (1885) and the several acts amendatory thereof, and the original petition, copy or notice of election, and certificate of the inspectors of election have been heretofore filed in the office of the register of deeds of the proper county, and said village has proceeded to transact and carry on business as an incorporation, and under the corporate name assumed by it, such attempted incorporation of such village, under the name assumed, shall be, and hereby is, legalized in each and every such case and declared a valid and effective incorporation, under the name assumed; and this shall be true notwithstanding the omission of any matter and thing by law required [as] a prerequisite to the incorporation of such village, and notwithstanding any defect in the said petition, notice of election or certificate of inspectors of election; further, that any by-law, resolution or ordinance heretofore adopted by any such village, or corporate act of any character indulged in, is

hereby legalized and declared as valid as if such village had been duly and legally incorporated in the original instance. But nothing herein shall affect any action or proceeding now pending.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 31, 1903.

CHAPTER 112.

S. F. No. 275.

An act to provide for the representation of Minnesota and an exhibition of its resources, products, progress and development at the Louisiana Purchase Exposition at St. Louis, Missouri, during the year nineteen hundred four (1904), and to make an appropriation therefor.

Louisiana
Purchase
Exposition.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That a board consisting of three (3) persons, citizens of Minnesota, shall be appointed by the governor, to be known as the board of Louisiana Purchase managers for Minnesota, for the purposes in this act described. Any member of said board may be removed at any time and any vacancy in said board occurring at any time may be filled by the governor.

Three
managers.

SEC. 2. Said board shall meet at such time and place as shall be fixed by the governor, and organize by the election of a president, vice president and secretary. Said board shall have power to make such rules, regulations and by-laws for its own government as it may deem necessary and expedient, and as will not conflict with the rules and regulations of said Louisiana Purchase Exposition.

Organization.

SEC. 3. The members of said board shall receive no compensation for their services and their reimbursement for personal expenses shall be limited to an amount not exceeding one thousand (\$1,000) dollars for each of them.

Compensation,
expenses
limited.

SEC. 4. It shall be the duty of said board to take immediate steps for the representation of the State of Minnesota at the said Louisiana Exposition, to be held at St. Louis, Missouri, during the year nineteen hundred four (1904), in the best manner possible within the limits of the appropriation herein made, and to that end to prepare for and make proper and desirable collections of

Preparation
and collection
of articles
for exhibit.

objects representative of the natural and industrial resources and products of the state and of the historical, educational and general progress and development of the state, whether owned by the state or placed in charge and sent under its authority for state exhibit by the citizens thereof; to insure the state from loss or damage to such exhibits, if deemed best; to return to the state or to the owners, or otherwise properly dispose of said exhibits as may be agreed by it; to prepare and print and circulate at such exposition such literature and facts as shall, in the judgment of said board, be practicable and best make known resources, productiveness and development of the state; and said board shall, so far as practicable, have said printing done in the state by the state printing commission.

Printing.

Superintendent, other help.

Expenses to be within limit of appropriation.

Superintendent's bond.

Approval, deposit with state auditor.

SEC. 5. The board is authorized and directed to appoint a suitable person as its superintendent to actively manage and carry out its orders, and the object and purposes of this act, as well as to employ such other help as may be necessary therefor, but shall incur no liability on behalf of the state for such employment or appointment in excess of the appropriation specifically limited for such purposes in this act. Said board shall, within the limits of such appropriation, be careful to so make its contract as to insure the retention of and have proper assistance for the care of all exhibits in its charge until the close of such exposition and thereafter, until all exhibits made by or in the name of the state by its authority shall have been properly cared for, disposed of or returned to the state or owner as may have been agreed upon by said board.

SEC. 6. The superintendent so appointed by said board shall, before entering upon his duties as such, execute a surety bond to the State of Minnesota, in the sum of ten thousand (10,000) dollars, or more, if said board deem best, conditioned for the faithful performance of his duties as such superintendent in carrying out the purposes of this act, and the orders of said board in relation thereto and the safekeeping, proper disbursement of and accounting for any fund of the State of Minnesota placed in his hands, or any money placed in his hands by authority of said board. Said bond shall be approved by the governor and attorney general of the state and be depos-

ited with the auditor of the state before said superintendent enters upon his duties.

SEC. 7. Said board shall make a report of its doings and expenditures from time to time to the governor, and at any time, upon the written request of the governor and after the close of the exposition, shall make a full detailed report of all its doings and expenditures for transmission by the governor to the legislature.

Reports,
final.

SEC. 8. There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of one hundred thousand (100,000) dollars, or so much thereof as may be necessary to carry out the provisions of this act, fifty thousand (50,000) dollars thereof to become available during the fiscal year ending July 31, 1903, and the balance, to-wit: fifty thousand (50,000) dollars, to become available during the fiscal year ending July 31, 1904; *provided*, that not to exceed in the aggregate fifteen thousand (15,000) dollars of said appropriation shall be used or paid out or contracted, to be paid out for salary or wages of the employes of said board at said exposition, or of its said superintendent, and said board shall under no circumstances incur any liability against the State of Minnesota in excess of the amount herein appropriated; *provided, further*, that said board and no member thereof shall directly or indirectly solicit or cause to be solicited any subscriptions of money for the purpose of increasing the funds made available by the appropriation herein made, upon any promise or suggestion that the same may be repaid by the State of Minnesota at some future time.

Appropriation
\$100,000.

Board prohibited from
soliciting subscription of
money.

SEC. 9. All disbursements of money herein appropriated shall be made by the treasurer of this state, upon the warrant of the auditor of the state upon vouchers itemized as to objects, date and amount, and approved by the president and secretary of said board, and the governor; *provided*, that a sum not to exceed five thousand (5,000) dollars at any one time may, with the approval of the governor, be drawn by said board upon account of said appropriation, and placed in the hands of and to be disbursed by the superintendent of said board for the purpose of an emergency fund to be used by said superintendent in payment of such outlays as may not allow the delay incident to payment through the state auditor and state treasurer,

Disbursements,
manner of.

Emergency
fund.

as first herein specified, but no second or further sum shall be drawn out by such board for such emergency fund until itemized detailed statements approved by the president and secretary of said board and the governor shall have been filed with said state auditor, showing that all amounts previously drawn out have been exhausted by proper expenditures, for the purpose of this act.

Repeals, ch.
87, 1902.

SEC. 10. Chapter 87 of the General Laws of nineteen hundred and two (1902) and all acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved April 1, 1903.

S. F. No. 376.

CHAPTER 113.

Wolf bounty.

An act to provide a bounty for killing wolves, and to appropriate money therefor.

Be it enacted by the Legislature of the State of Minnesota :

Reward.

SECTION 1. Any person who shall kill in this state a full grown wolf shall be entitled to a reward of seven dollars and fifty cents (\$7.50), and any person who shall kill in this state a cub wolf shall be entitled to a reward of one dollar (\$1), and the amount of all such rewards shall be paid by the state in full out of any moneys belonging to the revenue fund not otherwise appropriated, as hereinafter provided; and a sufficient amount of money is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to reimburse counties for all payments made under the provisions of this act.

Counties
reimbursed.

County
commissioners
may increase
reward.

In any county wherein the interest and welfare requires, the county commissioners shall have authority to increase such rewards and appropriate money therefor out of the revenue fund of such county.

Claimants to
exhibit car-
cass within
30 days after
killing to
town clerk,
under oath.

SEC. 2. The person or persons claiming such rewards shall, within thirty days after the killing of such animal or animals, exhibit the carcass of the animal or animals so killed, with the head and ears entire, to the town clerk in the presence of two witnesses of the town wherein such animal or animals were killed, and make oath that the animal or animals so exhibited, are the wolf or wolves

killed by such claimant. He shall also state under oath the time and place where such animal or animals were killed by him and that the claimant did not spare the life of any wolf within his power to kill. Thereupon the town clerk shall issue a certificate that such animal or animals were exhibited to him and that the hide or hides of the same was removed in the presence of himself and the witnesses required, after which the carcass of the said wolf or wolves that have been so exhibited shall be buried or destroyed by the party claiming the bounty so as not to become a nuisance to anyone. It shall be the further duty of such town clerk to file the original certificate in his office and to issue a copy thereof to the person so claiming such reward, for which service the said clerk shall receive as compensation for each original certificate issued the sum of twenty-five (25) cents and ten cents for filing the same, the said fee to be paid by the person claiming the reward. *Provided* that in unorganized towns the claimant for reward may apply to the nearest town clerk of the same county; and *provided further*, that the person so claiming such reward shall produce said certificate together with the hide or hides of the wolf or wolves killed, with the head and ears intact, to the county auditor. In lieu of taking the hide to the county auditor the claimant may forward such hide or hides with the head and ears intact, to the county auditor, together with the said certificate, the claimant to pay transportation charges, and if he desires the hide or hides returned to him he shall also pay return transportation charges.

Clerk's
certificate.

Carcass
buried.

Original
certificate
filed, copy.

In unorgan-
ized towns.

Exhibit hide
to county
auditor.

SEC. 3. The county auditor shall in each instance punch a hole not less than three-eighths of an inch in diameter through each ear of the wolf or wolves on which bounty is claimed, and issue to such claimant his warrant upon the county treasurer for the entire sum to which such claimant is entitled, and the treasurer shall pay the same upon presentation.

Duty of
county audi-
tor and
treasurer.

SEC. 4. It shall be the duty of the town clerk in each instance to determine whether the animal presented is in fact a wolf and whether the same is a full grown wolf or cub, within the meaning of this act, and he shall in each case certify the fact in the certificate herein provided to be made and filed by him; and the county auditor shall in like manner determine whether the hide presented to him

Who to de-
termine
whether
full grown
wolf or cub.

is in fact that of a wolf and whether the same is from a full grown wolf or cub, within the meaning of this act, before issuing his warrant for the payment of any bounty provided for herein.

Copy of oath
and warrant
transmitted
to state
auditor.

SEC. 5. The county auditor shall transmit a copy of such oath and warrant to the state auditor who shall audit such claims, and the amount thereof shall be paid out of the state treasury upon warrant issued by the state auditor in favor of the county paying the same, and forward the same to the county auditor of such county.

Fraud.

SEC. 6. Any person or persons who shall fraudulently claim or obtain any such reward or issue any certificate or warrant therefor, or who shall claim reward on any wolf which has in any way been protected by him, or on off-spring of tame wolves, either pure or crossed upon dogs, shall be held guilty of a misdemeanor, and shall upon conviction thereof be fined not less than twenty-five (25) dollars, or more than one hundred (100) dollars, and in default of payment of such fine may be imprisoned in the county jail not less than thirty (30) days or more than ninety (90) days, for each offense.

Penalty.

Inconsistent
acts repealed.

SEC. 7. That chapter thirty-two (32) of the general laws of one thousand nine hundred and one (1901), and all other acts and parts of acts inconsistent with this act, are hereby repealed.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

S. F. No. 306.

CHAPTER 114.

County at-
torneys to
prosecute
misdemeanors.

An act to require county attorneys in certain counties to attend the prosecution of misdemeanors and providing additional salary for such county attorney.

Be it enacted by the Legislature of the State of Minnesota:

Counties of
28,000 and
over.

SECTION 1. In all counties of this state, containing a population of twenty-eight thousand inhabitants and over, where the salary of the county attorney is arbitrarily fixed at seven hundred (\$700.00) dollars or less by special law, such county attorneys shall, in addition to the duties now prescribed by law, be required to attend

the trial of misdemeanors before justices of the peace of their respective counties, when requested by the justice before whom such action is pending so to do, and furnished with copy of complaint, and shall receive and be paid for his services as such county attorney the sum of five hundred (\$500.00) dollars per annum in addition to such sum fixed by such special law, payable in monthly installments as now provided by law.

Copy of complaint.

Additional salary.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

CHAPTER 115.

S. F. No. 309.

An act to amend chapter seventy-five (75) of the General Laws of one thousand nine hundred and one (1901), entitled "An act to provide for the construction or purchase of bridges by cities having a population in excess of 50,000 people."

Construction or purchase of bridges in cities of over 50,000.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 2 of chapter seventy-five (75) of the General Laws of the State of Minnesota for the year 1901 be amended to read as follows:

Section 2. That such city is hereby authorized and empowered by the common council or a majority thereof to contract on its behalf for the construction of such bridge and provide for payment thereof upon such terms and at such times as to such common council shall seem proper; *provided*, that the contract price on such bridge shall not exceed one hundred thousand (\$100,000) dollars, and the deferred payment therefor shall not bear interest at a rate exceeding four (4) per cent per annum, payable semi-annually.

Council to provide for construction and payment, not to exceed \$100,000. rate.

SEC. 2. That section 3 of chapter seventy-five (75), General Laws of 1901 be amended to read as follows:

Section 3. That such city is hereby authorized and empowered by its common council or a majority thereof to purchase any bridge that may be constructed across any navigable canal in such city whenever the common council of such city or a majority thereof may deem the same necessary for the public convenience. Such

May purchase.

common council is authorized to enter into a contract or agreement for the purchase of such bridge before or after the construction of same is completed; *provided*, that the contract price for the purchase of such bridge shall not exceed the sum of one hundred thousand (\$100,000) dollars, nor shall the deferred payments thereof bear interest at a rate exceeding four (4) per cent per annum; *provided further*, that if there is any incumbrance upon such bridge said city shall not have a right to purchase same if incumbrance exceeds one hundred thousand (\$100,000) dollars, or bears a rate of interest exceeding four (4) per cent per annum, and the total purchase price, including all encumbrances, shall not exceed one hundred thousand (\$100,000) dollars, and such common council of such city, if they deem it expedient, shall have authority by ordinance passed by a majority of the members of such common council, to issue and sell the negotiable bonds of such city not exceeding one hundred thousand (\$100,000) dollars that may be necessary to raise the funds with which to purchase or construct any such bridge. Such bonds may mature in such installments as may be provided by such ordinance, but none of them shall be issued and sold that will mature by their terms at a period later than twenty-five (25) years from the date of issue. *Provided further*, that such bonds shall not be issued before the completion and acceptance of such bridge by such city; and *provided further*, that the sale of such bonds shall not be made until after three (3) weeks' advertisement calling for sealed bids for same at a regular meeting of the common council of such city, and such advertisement shall be made once in each week for three (3) consecutive weeks in a daily newspaper published in such city. Such bonds shall be signed by the mayor, sealed with the seal of such city, attested by the clerk and countersigned by the comptroller, and such bonds shall be of such denomination as the common council may determine, and it shall be the duty of the treasurer of such city to see that the proceeds from the sale of such bonds are applied in full payment of such bridge, and the cancellation of all encumbrances against such bridge. The common council shall have authority to reject any and all bids for such bonds and readvertise for bids in same manner as above

Not to exceed \$100,000.

Incumbrance

Issue and sell bonds, maturing not later than 25 years.

Nor before completion and acceptance of bridge.

Advertising for bids.

Execution of bonds.

Proceeds applied to payment of bridge.

provided, and no bid on such bonds shall be accepted that does not equal the par of such bonds with interest accrued up to date of the delivery of such bonds.

Rejection
of bids.

SEC. 3. That section 4 of chapter seventy-five (75) of the General Laws of 1901 be amended to read as follows:

Section 4. The indebtedness to the amount provided in this chapter that may be incurred by such city in the construction or purchase of any such bridge shall not be deemed any part of the indebtedness of such city for the purpose of ascertaining whether the limitation of indebtedness of such city has been reached.

Indebtedness
not affecting
limitations
of city debt.

SEC. 4. That section 5 of said chapter seventy-five (75) of the General Laws of 1901 be and the same is hereby amended to read as follows:

Section 5. Before any such city shall purchase or construct any such bridge as herein provided for, the common council of such city shall by resolution passed by a majority of all the aldermen, authorize the making of a contract or agreement for the construction or purchase of such bridge as herein provided for in this act, and such contract or agreement shall be signed by the mayor and sealed with the seal of the city, attested by the clerk, and countersigned by the comptroller of such city, and also be signed by the party, partnership or corporation agreeing to construct or sell such bridge to such city.

Council to
authorize by
resolution
the construc-
tion or pur-
chase.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

CHAPTER 116.

R

S. F. No. 236.

An act to amend section seventy-seven (77) of chapter (2) of the General Laws of Minnesota for the year one thousand nine hundred and two (1902), relating to repayment of refundment and other moneys when the certificate of sale or assignment of such certificate of sale shall have been lost or destroyed.

Certificates
of sale.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section seventy-seven (77) of chapter two (2) of the General Laws of Minnesota for the

year one, thousand nine hundred and two (1902) be amended so as to read as follows:

Refundment
of taxes
twice paid.

Section 77. Repayment of Refundments and Other Moneys—Whenever it shall be made to appear to the county auditor that the taxes upon any tract or parcel of land have been twice paid to the county treasurer, and in all cases where any tax purchaser is entitled under the provisions of this act to refundment or to any money paid into the county treasury for redemption from any tax sale, the county auditor is hereby authorized to draw his warrant upon the county treasurer in favor of the party entitled to any such moneys for the amount to which said party is entitled. All moneys so paid shall be charged to the proper fund or funds.

Certificate
lost or de-
stroyed.

Provided, that if the certificate of sale, or the assignment of the state certificate of sale shall have been lost or destroyed, the county auditor shall not give his warrant upon the treasurer until the party entitled to the money paid in for redemption shall make and file with the county auditor an affidavit that he is the owner of the same, and that the same is lost or destroyed.

Bond re-
quired, when.

Provided further, that if the amount of such redemption money due the affiant shall exceed five (5) dollars said affiant shall give a bond with one (1) or more sureties, approved by the auditor, in double the amount of such redemption money due him, payable to the treasurer, conditioned that if such certificate of sale or assignment of said certificate of sale is produced to the auditor and a warrant demanded for such redemption money the said affiant shall, on demand, refund said redemption money to the treasurer.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

CHAPTER 117.

R

S. F. No. 261.

An act to amend the Third subdivision of section ten (10) of chapter two hundred and fifty-three (253) of the General Laws of one thousand eight hundred and eighty-nine (1889), being an act to provide for the better protection of life and property by establishing a board of inspectors to inspect steam vessels and steam boilers, and provide for the licensing of engineers of steam engines, masters and pilot of steamboats on the inland waters of the State of Minnesota.

Inspection of
steam vessels
and steam
boilers.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the third subdivision of section ten (10) of chapter two hundred and fifty-three (253) of the General Laws of one thousand eight hundred and eighty-nine (1889) be amended so as to read as follows:

Third. No license shall be granted to any person to act as second-class engineer who has not taken and subscribed an oath that he has had at least one year of actual experience in operating steam boilers and steam machinery, or whose experience and habits of life are not such as to warrant the belief that he is competent to take charge of all classes of steam boilers and steam machinery not to exceed one hundred horse power; *provided*, that any person who shall operate or take charge of any steam boiler or steam machinery of any kind of a higher or greater horse power than the maximum horse power of the class for which he is licensed shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment of not less than twenty days nor more than ninety days, or by a fine of not less than ten nor more than fifty dollars. *Provided further*, that every master, engineer or pilot who shall receive a license shall, when employed upon any vessel, place his certificate of license, which shall be framed under glass, in some conspicuous place in such vessel or engine room where it can be seen by passengers and others at all times, and that any master, engineer or pilot who shall neglect to comply with this provision shall be deemed guilty of a misdemeanor, and upon conviction

License to
second-class
engineer,
oath.

Misdemeanor,
penalty.

License
posted con-
spicuously.

thereof shall be punished by imprisonment of not less than ten nor more than ninety days, or by a fine of not less than ten nor more than one hundred dollars, and in addition thereto said license may be revoked.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

S. F. No. 476

R

CHAPTER 118.

Purchase of
land by the
United States.

An act to amend section one of chapter thirty-six of the General Laws of the State of Minnesota for the year 1871, pertaining to the purchase by the United States of land within the State of Minnesota for public purposes.

Be it enacted by the Legislature of the State of Minnesota:

Consent
given by
the state.

SECTION 1. That section one of chapter thirty-six of the General Laws of the State of Minnesota for the year 1871, be and the same is hereby amended so as to read as follows:

Section 1. That the consent of the State of Minnesota be, and the same is hereby given, to the purchase by the government of the United States, or under the authority of the same, of any tract, piece, or parcel of land, from any individual, individuals, or bodies politic or corporate, within the boundaries or limits of the state, for the purpose of erecting thereon lighthouses, signal stations, and other needful public buildings whatever pertaining to the lighthouse board, or public buildings for use as observatories for the weather bureau. or for any other public purpose, and all deeds, conveyances of like papers for the same, shall be recorded as in other cases, upon the land records of the county in which the land so conveyed may lie, and in like manner may be recorded a sufficient description by metes and bounds, courses and distances of any tract or tracts, legal division of any public lands belonging to the United States, which may be set apart by the general government for any or either of the purposes before mentioned, by an order, patent or other official document or papers so describing such land, the consent herein and hereby given being in accordance with the seventeenth clause of the eighth section of the

R. D. 2

For what
purpose.

Record.

In accordance
with sec. 8,
art. 1, U. S.
Constitution.

first article of the Constitution of the United States, and with the acts of congress in such cases made and provided.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

CHAPTER 119.

R

S. F. No. 103.

An act to provide for the creation of a state art society, and prescribing its manner of appointment, powers and duties.

State art
society.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. State Commission of Art—A state art society is hereby created, to be known as the Minnesota State Art society; the object being to advance the interests of the fine arts, to develop the influence of art in education, and to foster the introduction of art in manufactures.

State com-
mission.
Object.

SEC. 2. Governing Board—There shall be a governing board of the society which shall consist of nine members, seven of whom shall be appointed by the governor—by and with the consent of the senate—from lists of names proposed by the Fine Arts Society of Minneapolis, the Art Workers' Guild of St. Paul and the Art Committee of the Minnesota Federation of Women's Clubs. Of these appointees four shall be artists or connoisseurs of art, one an architect, one prominently identified with education, and one directly interested in manufactures. The governor of the state and the president of the state university shall be ex officio members of this board.

Governing
board.

SEC. 3. Terms of Members—Members of the governing board shall be appointed three for two years, three for three years and one for four years, and at the expiration of said terms, and thereafter, their successors shall be appointed by the governor, by and with the consent of the senate, as provided in section 2, each to serve for the term of four years.

Term of
members.

SEC. 4. Compensation. Vacancies—All members of the society shall serve without compensation as such. Vacancies in the governing board shall be filled by ap-

No compen-
sation.
Vacancy.

pointment by the governor within one month from the time of such vacancy.

Organization,
quorum.

SEC. 5. Board Must Organize. Quorum—Said board shall organize immediately after its appointment by electing from its members a president, a vice president, a secretary and treasurer of the Minnesota State Art society. Said officers shall also be president, vice president, secretary and treasurer, respectively, of the governing board. Four members of the board shall constitute a quorum.

Powers of
board.

SEC. 6. Powers of Governing Board—The governing board shall have power to adopt by-laws and rules of procedure to govern the Minnesota State Art society, to receive, hold and manage its gifts, bequests and property, and to perform all acts necessary to accomplish the duties hereinafter described. It shall also have the power to issue certificates of membership and to offer and confer prizes, mentions, medals and diplomas for works of art in painting, sculpture, architecture and manufacture, when in competition under rules prescribed by the governing board. The Minnesota State Art society shall have a seal with which it shall attest its official acts.

Membership.

SEC. 7. Membership—Membership in the society shall be of four classes, viz: Members of the governing board, honorary members, life members and annual members.

Honorary
life member-
ship.

SEC. 8. Honorary Membership for Life—Any person who shall submit to the governing board a work of art executed by himself, which shall be accepted by said board, shall, by the tender to the society of said work of art (or in lieu thereof by the payment of one hundred dollars), on receipt of a certificate of membership, issued by said board, become an honorary member for life of the Minnesota State Art society.

Life member-
ship.

SEC. 9. Life Membership—Upon the payment of one hundred dollars, any person receiving the recommendation of the governor of the state or of four governing or four honorary members, shall, if elected by the society, be made a life member of the society.

Annual
membership.

SEC. 10. Annual Membership—Any person may, upon the recommendation of a governing member or honorary member and the payment of two dollars, be en-

titled, if elected by the society, to a certificate of membership in the society for one year, and become an annual member.

SEC. 11. Lectureship Committee—There shall be appointed by the governing board a committee of three persons to be known as the art lectureship committee.

Lectureship committee.

SEC. 12. Exhibition Committee—There shall be appointed by the governing board a committee of three artists or judges of art, to be known as the exhibition committee. No member of the exhibition committee shall be eligible to a prize while serving on the committee, nor shall any relation, by blood or marriage, of such exhibition committee be eligible to such prize.

Exhibition committee.

SEC. 13. Art Collection Committee—There shall be appointed by the governing board a committee of three persons, to be known as the art collection committee. This committee shall take charge of all works of art to be acquired by the society, and shall have power by and with the consent of the governing board to purchase works of art whenever there shall be sufficient surplus in the treasury.

Art collection committee.

SEC. 14. Membership Certificates. Annual Report—Suitable certificates of membership shall be provided by the governing board and shall be signed by the president and countersigned by the secretary. An annual report of the Minnesota State Society of Art shall be forwarded by the secretary to the governor of the state before December first of each year.

Membership certificates.

SEC. 15. Annual Course of Lectures—It shall be the duty of the Minnesota State Society of Art, through its lectureship committee, to prepare annually a course of lectures on topics of art or kindred subjects, which shall be delivered, in whole or part, before the students of the state university, the state agricultural school, the state normal schools in turn, and the state teachers' association. It shall be the duty of the lectureship committee to advise with the officers of state educational institutions and superintendents of public schools as to courses in drawing, design and art, with a view to creating a stronger influence in educational institutions throughout the state.

Annual lecture course.

SEC. 16. Annual Exhibit—It shall be the duty of the

Annual exhibit.

Minnesota State Society of Art to provide through its committee on exhibition an annual art exhibit, which shall not to be held at the same city twice in succession. Such exhibit shall include paintings, sculpture, drawings, carvings, pottery, tiling, cabinet work, wrought metal designs, architectural designs, exhibits of textile fabrics, and all art craft which in the judgment of the society shall tend to elevate the standard of beauty and value of home manufactures. No work of art shall be exhibited without first having been accepted as worthy by the exhibition committee.

Prizes.

SEC. 17. Annual Prizes—At each annual exhibition prizes to the amount of one hundred dollars or more shall be offered by the state, said sum to be determined by the governing board, and to be paid out of the funds of the society for the best original work done by any (Minnesota) artist in any line of art or art craft which shall have been accepted for competition by the exhibition committee. These prizes shall be given for paintings, sculpture, decorative designs of any kind, designs in architecture, or for manufacturing designs or the finished product after such design. These works of art may become the property of the society by proper compensation, either in the form of prizes or by direct purchase, all works of art acquired by the society in this way or those tendered by patrons of art to said society shall, upon acceptance, be turned over to the art collection committee. The art collection thus acquired shall be the property of the state, under control of the society. Said art collection may be in part or in whole loaned out to different parts of the state, according to rules and regulations prescribed by the governing board.

Executive board.

SEC. 18. The executive board of the Society of Art shall act as an advisory committee in the selection of all works of art, and in the selection of all designs for public buildings, to be paid for by the state.

Rooms at state capitol.

SEC. 19. A suitable room or rooms in the state capitol shall be set aside for the use of the state society of art for the holding of its meetings and the preservation of all works of art becoming the property of said society which cannot otherwise be placed to better advantage.

Funds, how expended.

SEC. 20. Funds, How Expended. Annual Appropriation—All moneys received by this board shall be ap-

plied or expended only in the furtherance of art interests of the state as ordered by the governing board.

SEC. 21. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

CHAPTER 120.

S. F. No. 80.

An act to amend section one thousand one hundred and nine (1109) of the General Statutes of Minnesota of the year one thousand eight hundred and ninety-four (1894), relating to the vacation of public grounds, streets, alleys, or highways within cities in this State.

Vacation
of public
grounds.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one thousand one hundred and nine (1109) of the General Statutes of eighteen hundred and ninety-four (1894) of the State of Minnesota, be and the same hereby is amended so as to read as follows:

No public grounds, streets, alleys or highways, within said city shall be vacated or discontinued by the common council, except upon the petition of the sole owner, or of a majority of the owners, resident in said city, of property on the line of such public grounds, streets, alleys or highways, proposed to be vacated or discontinued; such petition shall set forth the facts and reasons for such vacation, accompanied by a plat of such public grounds, streets, alleys, or highways proposed to be vacated, and shall be verified by the oath of at least two of the petitioners, their agents, or attorneys, except in case it be the petition of the sole owner of said property, in which event it shall be verified by the petitioner, his agent or attorney. The common council shall thereupon, if they deem it expedient that the matter should be proceeded with, order the petition to be filed of record with the city clerk, who shall give notice by publication in the official paper of said city, for four weeks, at least once a week, to the effect that such petition has been filed as aforesaid, and stating in brief its object, and that said petition will be heard and considered by the common council, or a committee appointed by them, on a certain

Petition for
vacation.

Plat of
vacated
ground.

Filed with
city clerk,
publication
of notice.

Hearing.

Common
council to
declare by
two-thirds
vote such
vacation.

day and place therein specified, not less than ten days from the expiration of such publication. The common council, or such committee as may be appointed by them for the purpose, at the time and place appointed, shall investigate and consider the said matter, and shall hear the testimony and evidence on the part of the parties interested. The common council thereupon, after hearing the same, or upon the report of such committee in favor of granting such petition, may, by resolution passed by two-thirds vote of all the members elect, declare such public grounds, streets, alleys or highways vacated; which said resolution, after the same shall go into effect, shall be published as in the case of ordinances, and thereupon a transcript of such resolution duly certified by the city clerk shall be filed for record and duly recorded in the office of the register of deeds of the county.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

S. F. No. 16.

CHAPTER 121.

Limiting
cost of new
capitol.

An act to amend chapters two (2) and three (3) of the General Laws of 1893, and chapter one hundred and eighteen (118) of the General Laws of 1895; and chapter ninety-six (96) of the General Laws of 1897; and chapter two hundred and thirty-two (232) of the General Laws of 1899; and chapter one hundred and sixty-eight (168) of the General Laws of 1901, so far as the limitations of cost of the new capitol to be erected by the State of Minnesota was fixed at the sum of three millions of dollars (\$3,000,000.00) in any of said acts.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That chapter two (2) and chapter three (3) of the General Laws of 1893; and chapter one hundred and eighteen (118) of the General Laws of 1895; and chapter ninety-six (96) of the General Laws of 1897; and chapter two hundred and thirty-two (232) of the General Laws of 1899; and chapter one hundred and sixty-eight (168) of the General Laws of 1901, so far as, in any of said acts, the limitation of expenditure

to be made by the State of Minnesota for the purchase of a site and the erection and completion of a new capitol building and all expenditures to be made in connection therewith, was fixed at the sum of three millions of dollars (\$3,000,000.00), be and the same are hereby amended by striking out, wherever they occur, in any of said acts, the words or figures "three millions of dollars (\$3,000,000.00)," and inserting, in lieu thereof, the words and figures, "four millions five hundred thousand dollars (\$4,500,000.00)," and further amended by striking out each and every provision in any of said acts contained which conflicts with the provisions of this act, so that when so amended the limitations of expenditure to be made by the State of Minnesota for the purchase of a site and the erection and completion of a new capitol building, together with all expenditures to be made in connection therewith, shall be fixed at the sum of four millions five hundred thousand dollars (\$4,500,000.00), which last named sum shall include the purchase and supply of suitable and proper desks, chairs, tables, bookshelves or racks, carpets and all other furnishings that may be appropriate and necessary for the use of the executive, judicial and legislative offices of said building; it being the intent and purpose of this act to provide that the total cost of said building, furnishings and grounds shall not exceed in the aggregate the sum of four millions five hundred thousand dollars (\$4,500,000.00). That it is the intention of the act that said building be completed, furnished and ready for occupancy on or before the 1st day of January, A. D. 1905.

SEC. 2. All existing provisions contained in any of the acts referred to in section one (1) of this act, except as and to the extent that the same are hereby amended, shall remain in full force and effect.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

H. F. No. 228.

 CHAPTER 122.Identification
of judgment
debtors.

An act to facilitate the identification of judgment of debtors in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

Exception.

Full name,
occupation,
exact address.Clerk of
court,
penalty.

SECTION 1. That no judgment requiring the payment of money hereafter rendered in any court of this state (excepting personal property tax judgments) shall be docketed in any district court of the state, in any county having over seventy-five thousand inhabitants, until there has been filed in the office of the clerk of said district court an affidavit made by the judgment creditor or his agent, or by his attorney of record in the judgment, stating, according to the best of his knowledge, information and belief, the full name of the judgment debtor, his occupation, business or employment, and his exact place of residence or business address, and if such place of residence or business address be in a city of over 5,000 inhabitants, then the street number of such place of residence and business address shall be stated; and any clerk of such court who shall docket any such judgment without such an affidavit having been filed as aforesaid, shall be liable to a penalty of five dollars (\$5.00), which may be recovered by any person suffering damage by reason of such judgment having been docketed without the filing of such an affidavit. No such judgment shall be rendered invalid nor the effect thereof impaired by reason of such an affidavit not having been filed as aforesaid.

SEC. 2. This act shall take effect and be in force from and after July 1st, 1903.

Approved April 3, 1903.

CHAPTER 123. *R*

H. F. No. 224.

An act to amend section 1 of chapter 196 of the General Laws of the State for the year 1885, being section 1499 of the General Statutes of 1894 and section 2 of chapter 154 of the General Laws of the State for the year 1885, being section 1504 of the General Statutes for 1894, relating to the collection of judgments against cities, village and other municipalities.

Collection of
judgments
against
municipalities.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 1 of chapter 196 of the General Laws of said State for the year 1885, being section 1499 of the General Statutes of 1894, be and the same hereby is amended by appending thereto the following proviso, viz:

"*Provided*, That if such debtor, city, village or other municipality has no treasurer and no one has been appointed or elected to fill the vacancy, the county treasurer of the county wherein such debtor municipality may be located, upon demand in writing of a judgment creditor accompanied by a certified copy of the judgment, and an affidavit of the judgment creditor, his agent, or attorney showing the amount due thereon and that the same has not been paid, appealed from or stayed, shall pay such judgment out of the funds then in his hands or thereafter coming into his hands belonging to the debtor municipality, taking receipts for such payments, and the demand, transcript, affidavit and receipts shall constitute his vouchers for such payments."

When municipality has no treasurer.

County treasurer to pay judgment, proceedure.

SEC. 2. That section 2 of chapter 154 of the General Laws of said state for the year 1885, being section 1504 of the General Statutes of 1894, be and the same hereby is amended by appending thereto the following proviso, viz:

"*Provided*, That if the judgment creditor deems the joiment of such officers unnecessary he may apply the auditor of the county in which the debtor city, village or other municipality is located to have his judgment assessed against the property of such municipality and the county auditor upon being satisfied as to the amount of the judgment, and that it has not been paid, appealed from or stayed, shall levy and extend the

Judgment assessed against property.

amount due thereon against the taxable property of such debtor municipality each year until the judgment has been fully collected."

SEC. 3. That this act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

H. F. No. 427.

R

CHAPTER 124.

Renewal of records.

An act to provide for the renewal of certain records and for perfecting of records in the office of the register of deeds.

Be it enacted by the Legislature of the State of Minnesota:

Transcript of records.

SECTION 1. Whenever it shall be made to appear to the satisfaction of the board of county commissioners of any county in this state that any book of record in the office of the register of deeds of said county, through age, injury, use or other cause, has become unfit for record purposes, and because of such condition is liable to destruction, said board shall employ the register of deeds of the county to make a complete transcript of such records so worn or injured in suitable books to be provided by the county for that purpose.

Certified as true and correct.

It shall be the duty of the register of deeds when such transcripts have been completed to compare the same with the recorded instruments as shown in the original record, and the said register of deeds shall duly certify, under his hand and seal at the end of each book of transcripts, that the records therein contained are true and correct transcripts of the original records.

In effect as original records.

SEC. 2. After the completion of such transcripts, the same shall be filed in the office of the register of deeds, and shall be considered as public records in lieu of the original books and records, and shall have the same force and effect as the original record.

Compensation.

SEC. 3. For the making of such copies and certifying thereto the register of deeds shall be paid as compensation therefor out of the county funds, as the board of county commissioners may deem proper.

Renewal of transcribed records.

SEC. 4. Whenever it shall become necessary to renew records from records which are in themselves tran-

scripts from other counties, the transcript shall be verified and certified to by the register of deeds who made such transcript as a correct copy of the original record in such other county.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

CHAPTER 125.

R

H. F. No. 348.

An act to amend section 1235 of General Statutes of Minnesota, 1894.

Village
bonds for
public im-
provements.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 1235 of the General Statutes of Minnesota 1894, be and the same hereby is amended so as to read as follows:

Section 1235. If five-eighths of the votes cast upon the proposition at such election be in favor of such proposition the said council or other similar body may issue and negotiate the bonds of such village to the amount necessary for the erection of such building or the making of such improvements; *provided*, that such bonds shall not be negotiated or sold for less than their par value. *Provided*, that no village shall be authorized to issue or sell its bonds to an amount so that the aggregate bonded indebtedness thereof shall at any one time exceed 10 per cent of the assessed valuation of the taxable property of such village as indicated by the last preceding assessment of such property. *Provided, further*, that all such bonds shall be due and payable in not more than twenty (20) years from the date of issue of such bonds.

Five-eighths
vote required.

Limitations
of indebted-
ness.

Maturity of
bonds.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after May 1, 1903.

Approved April 3, 1903.

H. F. No. 368.

R

CHAPTER 126.

State
agricultural
society.

03 c 126

93-M - 125

100-NW 732

95-M - 353

104-NW 534

An act to reorganize and to regulate the affairs and management of the State Agricultural Society and the State Fair, so-called, appropriating money therefor, and re-enacting, codifying and amending the laws relating thereto, providing for grounds upon which the same is held, and the conveyance thereof to the state and the governance and control thereof, prohibiting the use or disposition of intoxicating liquors and providing generally for the protection, safety, health and comfort of the public, at and upon said grounds and in the vicinity thereof.

Be it enacted by the Legislature of the State of Minnesota:

Laws relating
to re-enacted.

SECTION 1. That the laws relating to the State Agricultural society, its affairs and management, and those of the state fair, so-called, and providing for grounds upon which the same is to be held, and the governance and control thereof, be, and the same are hereby re-enacted, codified and amended so as to read as herein-after set forth.

Public
corporation.

SEC. 2. The State Agricultural society as it now exists is hereby confirmed and established as a public corporation, with its present corporate seal and with power of perpetual succession.

Membership.

SEC. 3. Its membership, except honorary, shall be confined to citizens of Minnesota, and shall hereafter be composed as follows:

Delegates
from district
societies.

First—Three (3) delegates to be chosen annually by each of the county and district agricultural societies in this state, and in case any such society shall fail or neglect to appoint such delegates, then and in that event the president, secretary and treasurer of such society shall, by virtue of their offices, be members of the said State Agricultural society; *provided*, that if no county agricultural society exists in any county, or any such society shall fail to hold an annual fair, and any city therein shall maintain annually a street fair devoted to agricultural interests, then any three (3) delegates chosen by such street fair association, or if such street fair association fails or neglects to choose such delegates, then the president, secretary and treasurer of such street fair as-

sociation shall, by virtue of their offices, be members of the said State Agricultural society; and *provided further*, when there is, in any county, more than one such fair association, the senior association shall be entitled to such membership; and *provided further*, that all such societies and associations shall maintain an active existence and hold annual fairs, and shall have paid out, each year, the sum of three hundred dollars in premiums, and have an annual membership of twenty-five or more members.

Second—Honorary members, who by reason of eminent services in agriculture or horticulture, or in the arts and sciences connected therewith, or of long and faithful services in the society, or of benefits conferred upon it, may, by a two-thirds (2-3) vote at any of its annual meetings be elected as such.

Honorary
members.

Third—Two delegates selected by, and the presidents, ex-officio, of the following societies and associations: The State Horticultural society, the State Amber Cane society, the State Dairymen's association, the State Forestry association, the State Poultry association, the State Beekeepers' association and the Minnesota Stock Breeders' association and any other state society or association within the state having for its object the promotion of any branch of agriculture, horticulture, stock-raising or improvement or mechanics related to agriculture or horticulture.

Presidents
and two
delegates of
certain
societies.

Fourth—The members of the governing board of said society and its officers shall, by virtue of their offices as such, be and become members of said society.

SEC. 4. The management and control of its affairs shall be vested in its president, two vice presidents and six managers, to be known as its governing board, all of whom shall be citizens of this state, and any five of whom shall constitute a quorum; the annual meeting of the State Agricultural society shall be held in the state house in the city of St. Paul, or in any other place in said city or in the city of Minneapolis, or at the state fair grounds, so-called, as may be selected by the board of managers, on the second (2) Tuesday in January, and continued until the second (2) Thursday in January of each year, at which last named date the following officers shall be elected, namely: The president, two (2) vice presidents and two (2) managers, which said managers

Governing
board.

Annual
meeting.

Officers,
terms.

shall serve three (3) years each, and shall take the place of the present managers as their respective terms of office expire, so that two (2) members shall be chosen each year, and each member shall hold his office three (3) years, the board always to consist of six (6) members. The Governor of the State of Minnesota, ex-officio, and three (3) members from the state at large, who shall be appointed by the governor, with the advice and consent of the senate, shall constitute a board of auditors who shall examine all transactions of said State Agricultural society and report to the legislature at each session.

Board of
audit.

Election of
secretary and
treasurer,
term, com-
pensation.

SEC. 5. The president, vice president and board of managers shall, on the third (3) Tuesday of January of each year, elect a secretary and treasurer of said society, who shall each hold his office for the term of one year, and until his successor is elected and qualified, and their compensation and that of the other officers of the society shall be fixed and provided for by said board of managers.

Annual
report.

SEC. 6. The secretary shall be required to make an annual report to the governor on or before the tenth day of December in each year, showing in detail the proceedings of the society for the current year and such other information as shall be of interest to the public; and showing also the financial condition of the society from the books of the treasurer, which report shall be submitted to the governor of the state, and be printed annually, in like manner as the reports of other state officers.

Title to all
moneys and
other prop-
erty vested
in state.

SEC. 7. The title to all moneys and other property of the said State Agricultural society shall be and vest in the State of Minnesota, and there shall be no dividends or division of its assets among its members, and all moneys received by the State Agricultural society shall be used and employed in the holding of an annual exposition and exhibit of the agricultural, stock breeding, horticultural, mining, mechanical, industrial and other products and resources of the State of Minnesota, including proper exhibits of the arts, sciences and all other public displays pertinent to or attendant upon exhibitions and expositions of human art, industry and skill, and for the improvement of the premises hereinafter described, the payment of premiums and purses, and as an incident

Moneys,
how ex-
pended.

thereto, in furnishing such attractions and amusements at such annual exhibitions as the governing board of said society shall deem necessary and proper for the success of said exposition.

SEC. 8. The proper officers of the city of St. Paul and of the County of Ramsey are hereby empowered and authorized to convey to the State of Minnesota the following described real property, situated in the County of Ramsey and State of Minnesota, to wit: the south-east quarter of section twenty-one, and the east half of the east half of the southwest quarter of section twenty-one, township twenty-nine, range twenty-three of said county, and which said property when so conveyed shall be held by the State of Minnesota forever, for the following public purposes and no other, viz.: For the purpose of exhibiting thereon, under the management and control of the said state agricultural society, or its successors, annually, the agricultural, stock breeding, horticultural, mining, mechanical, industrial and other products and resources of the State of Minnesota, including proper exhibits of the arts, sciences and all other public displays, pertinent to or attendant upon exhibitions and expositions of human art, industry or skill. Nothing in this act, or in the said instrument of donation to the state, shall ever be construed or taken as giving said state or said society, or its successors, any power or authority to charge or incumber said property at any time, in any manner whatever.

Conveyance
of state fair
grounds to
state.

Description
of land.

For what
purpose
conveyed.

SEC. 9. The care, custody and control of said premises together with any adjoining property which may hereafter be added thereto, is hereby vested in the said State Agricultural society as a department of the state government, and the general offices of said society shall be located and maintained upon said premises, and said society is hereby authorized, required and empowered to maintain said offices upon said premises, wherein shall be contained the property and records of said society, and the entire care, custody and management and control of said premises and the structures thereon shall be vested in said society.

Care, cus-
tody and
contract, when
vested.

General
office,
location.

SEC. 10. There shall be held by the state agricultural society, upon the premises hereinbefore described, at such times and for such period as the said governing board may prescribe, such an exposition and exhibit of the

Governing board to prescribe as to manner and kind of exposition and conduct same.

products of the State of Minnesota aforesaid as the said state agricultural society, through its said governing board may provide, and said society is hereby empowered to make all the needful rules and regulations for the government of said exposition, in providing for the same, and in providing for and paying such premiums at such exposition as they shall see fit and in such manner as they may desire, and to do and exercise upon said premises any and all acts which they now or hereafter lawfully may do, and are empowered to invite the co-operation of any other state, territory or county in said exposition; and any and all moneys expended by the said state agricultural society for premiums for exhibits or other displays, or which may hereafter be appropriated by the state to said society for such purposes, shall be expended upon and for such exposition and display as shall be held by the said society upon the premises aforesaid, for the purpose of encouraging agriculture, horticulture, stock-breeding, manufacture, and the mining, mechanical and industrial arts, sciences, products and resources of the State of Minnesota.

Rules and regulations, and enforcement of same.

SEC. 11. The said state agricultural society, acting by and through its governing board, is hereby authorized and empowered to make any and all by-laws, ordinances, regulations, rules and provisions, in addition to the provisions hereof and not inconsistent with the law, which shall, in their judgment, be necessary or proper for the government and control of said premises, and all expositions to be held thereon, and all such needful rules and regulations, concerning the government, deportment, protection, health, safety and comfort of the public thereon, as may be requisite and proper; and said governing board shall have full power and authority to enact, adopt, modify, and, from time to time, amend or repeal all such ordinances, rules, regulations and by-laws as they shall deem expedient, for the purposes herein named, providing penalties for their violation, and to do all acts necessary to enforce and carry the same into effect and punish offenders thereunder, the same to be in full force and effect from the time of their adoption and filing with the secretary of said society in its offices aforesaid.

License and regulate privileges.

SEC. 12. The said society, acting by and through its said governing board for the purposes herein named and as an incident thereto, shall further have the power to

license and regulate any and all shows, exhibitions, performances and privileges on said premises, or may appoint an officer who shall be authorized to act in its name and stead in the premises, and to revoke said licenses and prohibit, remove and summarily stop, close and put an end to all exhibitions, shows, performances or privileges which are or may be by them deemed to be offensive to good morals, or which are contrary to the laws of this state.

SEC. 13. The president of said society shall have authority to select and appoint, at or before the time of holding any such fair, exposition or exhibition, as many persons to act as special officers as may in his judgment be necessary to secure peace and good order on or about the premises where the same is to be held, for and during the time of holding the same, and for a reasonable time prior and subsequent thereto, which said appointments shall be made and evidenced by written certificates thereof, dated and signed by the president of the said society in his official capacity. Such police officers shall, before entering upon the discharge of the duties of their office, take and subscribe the usual oath of office before some officer authorized to administer oaths, said oaths of office to be indorsed on said certificates of appointment. The police officers so appointed and qualified as aforesaid shall each have and exercise, during the time stated in their respective certificates of appointment, all the power and authority of constables at common law, and shall have in addition thereto, full power and authority to arrest, without warrant, any and all persons found violating, on or about the grounds of the premises of said society, and within a distance of one-half mile thereof, any law of the State of Minnesota, or any rule, regulation, by-law or ordinance of said society enacted or adopted pursuant to the provisions hereof; and to summarily remove the persons and property of such offenders from the grounds and premises and take such offenders before any court of competent jurisdiction, to be dealt with according to law.

Selection of special officers to secure peace and good order.

Authority of constables.

SEC. 14. The president, vice president and members of the board of managers shall each have, by virtue of his office, the same power to make arrests and remove the persons and property of offenders that is conferred upon special police officers by the next preceding section here-

Officers of society who may exercise police authority.

of. The president, vice presidents, members of the board of managers and special police officers aforesaid, shall each wear some appropriate badge of office while acting in their official capacity as such officers.

Lockup.

SEC. 15. Said society is hereby authorized and empowered to provide and maintain a watch house, or lock-up, upon said premises, as a place of confinement for all offenders, and for the temporary detention of all suspected persons.

Unlawful to dispose of intoxicating liquors on grounds, or within half mile of.

SEC. 16. It shall be unlawful at any time to sell, barter, give away or otherwise dispose of or to introduce, have or keep for the purpose of, use, barter, gift or sale, any spirituous, malt or other fermented liquors, or intoxicating liquors of any kind, upon or within one-half mile of the premises hereinabove described and commonly known as the State Fair grounds, or to aid and abet another in so doing, and the presence, or possession of any spirituous, malt or other fermented liquors or intoxicating liquors of any kind, in any quantity, upon the premises leased or occupied by any person within said limits is hereby declared to be a public nuisance, and shall be prima facie evidence of his purpose to barter, give away or sell the same as aforesaid.

Seizure without writ or warrant.

SEC. 17. The governing board aforesaid, by itself or through its special police officers, shall seize, without writ or warrant, and take possession of any spirituous, malt or other fermented liquors, or intoxicating liquors of any kind, which may be found within said limits, or kept by any person in violation of the provisions of this act, and may sell and dispose of the same at public auction or private sale, and turn the proceeds into the treasury of said society.

Penalty.

SEC. 18. Any person found guilty of a violation of the provisions of section sixteen (16) hereof, shall upon conviction thereof, be punished by a fine of one hundred dollars (\$100), or by imprisonment in the county jail for a period of ninety days.

Misdemeanors defined.

SEC. 19. Any person or persons who shall commit, engage in any rioting, quarreling, fighting, revelling, drunkenness, noisy disturbance, improper diversion or any other disorderly conduct, calculated to annoy or disturb others, within the said State Fair grounds, or who shall be found begging therein, shall be guilty of a misdemeanor.

SEC. 20. Any person who shall be found lurking, lying in wait or concealed in any house or other building, or in any yard or premises within the limits of the State Fair grounds, or who shall loiter about the immediate vicinity thereof, with intent to do any mischief, or to steal, or to commit offense, shall be guilty of a misdemeanor.

SEC. 21. Any person who shall trespass on, or enter or attempt to enter the said State Fair grounds by jumping or climbing or passing through any fence or enclosure or in any manner except through the open gates provided for that purpose, or who shall, during any fair, enter such gates, or other reserved inclosure in said grounds, without authority or written permit, pass or ticket, issued by the governing board or its duly authorized officer, or who shall obtain permission to enter said grounds by impersonating another or through any misrepresentation or false pretenses whatsoever, shall be guilty of a misdemeanor.

SEC. 22. Any person who shall steal, or unlawfully obtain or appropriate any ticket, paper or other writing, entitling or purporting to entitle the holder or proprietor thereof to admission to said grounds or any part thereof, or who shall sell or dispose of any such ticket, paper or writing, which upon its face appears to have been issued to another person and is not transferable, without informing the purchaser of the true character thereof, shall be guilty of a misdemeanor.

SEC. 23. Any person who shall make or exhibit, within said fair grounds, any show or shows, caravans or circuses, or perform any plays, games, concerts, theatricals or other performances, exhibitions or curiosities, for which pay or compensation or an admission fee of any kind shall be required, demanded or received, without having been previously licensed thereto by authority of the governing board, or any person who shall exhibit or perform therein any indecent, obscene or immoral play or other representation, shall be guilty of a misdemeanor. It shall be the duty of the said governing board to close all such as may be or may be by it deemed to be indecent, obscene or immoral, and any and all moneys which may have been paid in connection therewith shall be deemed to have been forfeited.

Forfeiture of
privilege.

SEC. 24. In addition to the foregoing, each and all

Criminal
laws of state
extended.

Justice of
the peace of
Ramsey
county to
have juris-
diction—
may hold
court on
grounds.

Society
authorized to
contract in
own name.

State appro-
priations,
annual
\$1,000.

of the criminal laws of this state are herein specifically extended to operate over the premises hereinbefore referred to, and any justice of the peace within the county of Ramsey, designated by the governing board of the said society for that purpose, shall have jurisdiction of offenders under the terms and against the provisions hereof and thereof, and may proceed to hear, try and determine the same in a summary manner, in accordance with the laws of this state. He may, for that purpose, hold his court within the limits of said grounds, during the progress of any fair, exposition or exhibition, and for one week prior and subsequent thereto, nor shall he be required to grant any application for a change of venue from his court. While so acting he may be allowed such compensation, not exceeding five dollars per day, as may be fixed by said governing board; and all fines, costs and penalties, collected upon conviction of any offense committed within said fair grounds or in violation of any of the provisions of this act, shall be forthwith paid to the treasurer or other proper officer of said society, and his receipt therefor filed by the court, with the county auditor of said county. The said governing board may appoint and provide for the compensation of such officers as it may deem qualified to prosecute violations of this act, or to act otherwise in the capacity of a legal adviser to said society.

SEC. 25. The said State Agricultural society shall have authority to contract in and by its own name as such and through its agents and officers duly appointed thereto, and the provisions of this act, and of all ordinances, by-laws, rules and regulations adopted by the governing board in pursuance hereof, shall be deemed a part of any and all contracts entered into by said society or any of its boards of officers, with any exhibitors, privilegeholders, lessees, licensees, and other persons dealing with said society, its boards or officers.

SEC. 26. The sum of four thousand dollars (\$4,000) is hereby annually appropriated out of any moneys in the state treasury, not otherwise appropriated, to aid the said State Agricultural society in paying premiums and awards; the same to be paid out by the state treasurer on the order of the president and treasurer of said society, countersigned by the secretary thereof.

SEC. 27. Chapter 181 of the laws of 1887, chapter

174 of the laws of 1885, chapters 51 and 52 of the laws of 1891, being sections 2952 to 2969, both inclusive, of the General Statutes of 1894, chapter 225 of the laws of 1897 and chapter 304 of the laws of 1899 are hereby repealed.

Laws repealed.

SEC. 28. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

CHAPTER 127.

H. F. No. 20.

An act to provide for the payment of expenses incurred in the control of infectious or contagious diseases.

Payment of expenses in control of contagious diseases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. All necessary expenses hereafter incurred by the board of health or health officer of any town, borough, village, or city, in the general control of infectious or contagious diseases, shall in the first instance be a charge against the town, borough, village, or city, in which such expenses were incurred, and shall be allowed in the same manner that other claims are allowed. Whenever any town, borough, village, or city, has allowed any claims incurred in the control of infectious or contagious diseases, the town clerk of such town, or the recorder, or like officer, of such borough, village, or city, shall send a certified statement to the county auditor of the county in which such expenses were incurred; such statement shall contain the date upon which such claims were allowed, to whom allowed, for what purpose, and the amount of each claim as allowed. Upon receipt of such statement the county auditor shall thereupon place the same before the board of county commissioners of his county at their first meeting thereafter, and it shall be the duty of said board of county commissioners to audit one-half ($\frac{1}{2}$) the amount allowed by such town, borough, village, or city, or so much thereof not exceeding one-half as such board of county commissioners shall determine to be just and proper. Whenever any board of county commissioners shall disallow the one-half of any claim statement or any part thereof it shall be the duty of the county auditor of such county within ten days thereafter, to notify, in writing the town clerk or the re-

In first instance, a charge against municipality.

Certified statement to county auditor.

County commissioners to audit not to exceed one-half of amount.

When disallowed.

Notice of
appeal.

Pleadings,
appellant,
stipulation,
jury trial.

Costs.

Appellant
not required
to give
bond.

Amount
audited paid
out of county
treasury.

One-mill tax
may be
levied.

corder or like officer of such borough, village or city, as the case may be of such disallowance and such town clerk, village recorder or like officer of such borough, city or village may thereupon, within thirty days after the receipt of such notice, file with the clerk of the district court a notice of appeal from the action of said board to the district court. When such notice of appeal shall have been filed with the clerk of the court as aforesaid, the said clerk shall, upon eight days' notice by either party place the appeal upon the calendar of actions for the ensuing term of the district court. The court shall on such terms on or before the second day thereof order pleadings to be made up and certified. The appellant may appear in person or by counsel at the trial thereof. Unless the parties otherwise agree, the matter shall be submitted to a jury trial, and tried as other appeal cases are tried, and the court or jury, as the case may be, shall assess the amount the appellant is entitled to recover, if any, and make the verdict conform to the justice and facts in the case. If the determination of the board of county commissioners appealed from be affirmed, or if the amount claimed by the statement of said town, borough, village or city be reduced in said district court, the party appealing shall pay all costs and disbursements incurred in said court, but if the amount so claimed by the appellant be sustained in said court said appellant shall recover all costs and disbursements, said costs and disbursements to be taxed and adjusted as in other cases in said district court, and judgment entered therefor in like manner. No bond shall be required of appellant taking the appeal herein required. When the board of county commissioners shall audit the one-half of such statement, or any part thereof, the same shall be paid out of the county treasury by orders on the treasurer, drawn by the county auditor, and paid out of the general revenue fund of the county as other claims against the county are paid. For the purpose of carrying out the provisions of this act, towns, boroughs, villages and cities are authorized to levy in addition to all taxes now authorized by law, a tax not to exceed one (1) mill on the dollar of taxable property in any one year; or such claims may be paid out of the general fund of such town, borough, [village] or city.

Provided, That this act shall not apply to cases where

the person having infectious or contagious disease is not a legal resident of such town, borough, village or city.

Not to apply to non-resident cases.

SEC. 2. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

CHAPTER 128.

R

H. F. No. 581.

An act authorizing the building and maintenance of dams in rivers, streams and water courses, where the same are only floatable for logs, and the exercise of the right of eminent domain in certain cases.

Dams in streams for floating logs, eminent domain in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any owner of land bounded upon that portion of any river, stream or water course, which river, stream or water course wholly or in part lies within this state, or wholly or in part lies between or forms the boundary line between this state and an adjoining state or country, which portion is not navigable, for steamboat navigation and is only floatable for logs and lumber, may build and maintain on or across the bed of such portion of such river, stream or water course a dam, and, in connection therewith, such raceways or other structures as may be necessary for the development of water power for one or more of the following purposes, namely: To improve navigation; to develop or improve water power for manufacturing purposes, including the development of electricity and electrical power; to supply water to municipalities; or for any lawful purpose whatever. *Provided*, that such consent, if any, as may be required by law, treaty convention or otherwise be first obtained from the owner or owners of the opposite bank where such dam may abut, from the adjoining state or country, and from the United States to the building and maintenance of such dam.

For what purposes.

Consent to be obtained, in certain cases.

SEC. 2. Every dam constructed under authority of this act shall have connected therewith a sluiceway, lock or other fixtures sufficient and so arranged as to permit logs, timber and lumber to pass through, over or around

Sluiceways, locks, etc.

such dam without unreasonable hindrance or delay. And also a fishway as now provided by law.

If condem-
nation neces-
sary.

SEC. 3. Whenever in building and maintaining such dam, raceways or other structures in connection therewith or in enlarging or extending the same, it shall be necessary for such owner to condemn, take, use, occupy or damage private property, within the jurisdiction of this state, for flowage purposes or other purposes necessary in the building, maintenance or operation of such dam, raceways, or other structures, such owner may exercise the right of eminent domain and may condemn, take, and use or damage such private property for such purposes, first making just compensation therefor, and proceed in manner provided in chapter 34, title 1, General Statutes of Minnesota for the year 1894, and the amendments thereto.

Just com-
pensation.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

H. F. No. 374.

CHAPTER 129.

Supreme
court re-
ports.

An act to authorize the secretary of state to enter into a contract on behalf of the State of Minnesota for the printing and publishing of the supreme court reports.

WHEREAS, The present contract with Frank P. Dufresne, providing for the printing and publishing of the supreme court reports and furnishing the same to the state and for sale will expire on or about March 4th, 1903. Now, therefore,

Be it enacted by the Legislature of the State of Minnesota:

Secretary of
state to
solicit bids
and enter
into contract
for publish-
ing.

SECTION 1. That the secretary of state be and is hereby authorized and required on behalf of the State of Minnesota to solicit bids and enter into contract for the printing and publishing of the number of copies of the supreme court reports of this state now required by law for the period of six (6) years from and after March 4th, 1903, said contract to be awarded to the lowest responsible bidder whose bid shall not exceed \$1.25 per volume and who shall furnish to said secretary of state a bond in the sum of five thousand (5,000) dollars, conditioned that the said reports and the printing and publishing

Bids not to ex-
ceed \$1.25 per
volume.

thereof shall conform to the following specifications, to wit:

First. That the size of the volumes, the character and quality of the paper used therein, and the binding and the general mechanical execution thereof shall conform to the requirements for the printing and publication of said reports laid down by section 2281 of chapter 27 of the General Statutes of Minnesota for 1894.

Size of volume, paper, binding, etc.

Second. That the number of copies provided for by law shall be published and delivered to the secretary of state within sixty (60) days after the complete manuscript thereof shall be delivered by the reporter of said court to said contracting party; *provided, however*, that such time that said reporter shall retain the proof of any one volume after the same shall have been submitted to him for revision shall not be computed as a part of said sixty days.

Contractor to deliver.

Third. That at the time said party to whom said contract shall be awarded shall deliver said copies of said report to said secretary of state, said party shall deliver to said secretary of state, free of charge, a true and correct paper matrix of said report, to be preserved by said secretary of state as part of the records of his office.

Paper matrix to be preserved.

Fourth. That the party to whom said contract shall be awarded shall agree to publish and sell the same at the place of publication within this state, and at all times keep the same on sale at such place of publication in quantities of one or more copies at any one time, and upon reasonable notice of not less than ten (10) days, for the price agreed upon in said contract, and shall agree to stereotype the same and at all times keep the same on sale in the State of Minnesota at the contract price, and furnish the state any number of additional copies that may be thereafter required at said contract price, the copyright of all reports published under said contract vesting in the secretary of state for the benefit of the people of this state; *provided, however*, that nothing herein contained shall be so construed as to prevent the contractors by whom any such volume is published, their representatives or assigns, from continuing the publication and sale of such volumes, so long as they shall comply in all respect with the requirements of this act in respect to the character, sale and price of such volume.

Reports to be sold at contract price.

Copyright.

Printing to
be done
within state.

Fifth. That the printing and publishing of the said reports shall all be done within the State of Minnesota.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

H. F. No. 463.

CHAPTER 130.

Purchase of
land for
parks.

An act to authorize cities containing a population of ten thousand (10,000) inhabitants or less to issue bonds for the purchase of lands for park purposes along and adjacent to the shores of any artificial lake within such city.

Be it enacted by the Legislature of the State of Minnesota:

Cities of
10,000 or less
may issue
bonds, for
acquisition
of land for
parks.

SECTION 1. That any city in this state containing a population of ten thousand (10,000) inhabitants or less is hereby authorized to issue its negotiable bonds for the purpose of acquiring or purchasing lands for park purposes along and adjacent to the shores of any artificial lake within such city.

Procedure.

SEC. 2. Whenever the city council or other similar body of any such city in this state shall determine, by resolution, duly passed and recorded, to raise the amount of money stated in such resolution, for the purpose of purchasing land for park purposes along and adjacent to the shores of any artificial lake within such city, said resolution to describe definitely said lands to be purchased; or when a petition addressed to any city council or similar body of any such city, and signed by at least thirty (30) of the voters and freeholders residing in any such city, setting forth in such petition that it is the desire of such petitioners that the said city shall purchase land for park purposes along and adjacent to the shores of any artificial lake within such city, the cost whereof shall not exceed the amount described in such petition, which said lands to be purchased shall be described definitely in said petition. It shall be the duty of such city council or similar body to cause the proposition expressed in such resolution or petition to be submitted to the electors of such city at the next annual city election to be held therein, or at such special election as the said city

Submission
to voters.

council or other similar body shall by resolution designate.

SEC. 3. There shall be provided by such city, in case of such election, a suitable box in which all ballots cast at such election shall be deposited. There shall be printed in such ballots in apt terms the substance of such proposition, following which shall be printed in appropriate manner the words "yes" and "no" on two separate lines, and every person desiring to vote in favor of such proposition shall make his cross mark thus, X, opposite the word "yes," and every person desiring to vote against such proposition shall make such mark opposite the word "no." The said election shall be conducted and the votes cast thereat shall be canvassed and counted, and the result thereof certified in like manner as in the case of an election for city officers of such city.

Election, how conducted.

SEC. 4. If a majority of the votes cast at such election be in favor of such proposition, the said city council or other similar body may issue and negotiate the bonds of such city to the amount necessary for the purchase of such land, *provided* that such bonds shall not be negotiated or sold for less than par value. *Provided*, that no such city shall be authorized to issue or sell its bonds to an amount so that the aggregate bonded indebtedness thereof shall at any one time exceed fifteen (15) per cent of the assessed valuation of the taxable property of such city, as indicated by the last preceding assessment of such property. *Provided further*, that all such bonds shall be due and payable in not more than twenty (20) years from date of issue of said bonds, and which said bonds shall not bear to exceed five (5) per cent annual interest.

Proposition carried, council may issue bonds.

Limitation of indebtedness.

SEC. 5. Before any such city shall be authorized to issue its bonds, as hereinbefore provided, the city council or any other similar body thereof shall give notice by publication, for two (2) consecutive weeks in at least one weekly or daily newspaper printed in said county, if y be printed and published therein, and by a similar publication for the same length of time in a weekly or daily newspaper printed at the capital of the state, all of which said newspapers shall be designated therefor by the resolution of such city council or other similar body; at said city council or other similar body will receive

Notice by publication given, before issue of bonds.

bids for the sale of such bonds at the time and place to be named in such notice.

Sale of
bonds.

SEC. 6. At the time and place the said city council, or other similar body, shall open and consider the said bids, and may thereupon award the sale of such bonds to the person, company or corporation offering to negotiate the same upon terms the most advantageous for the interests of such city; *provided*, that the said city council, or other similar body, may reject any and all bids offered for the purchase of such bonds, if they deem the welfare of the said city to require it.

Disposition
of money
realized by
sale.

SEC. 7. The moneys realized from the sale of such bonds shall be placed in the city treasury and devoted so far as may be necessary to the purpose named in such resolution of petition, and the residue thereof, if any, shall be paid into the general city fund.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

H. F. No. 172.

CHAPTER 131. *R*

Inspection
of steam ves-
sels and
boilers.

03 c 131
94-M - 207
102-NW 452

An act to amend sections four hundred and eighty (480) and four hundred and ninety-four (494) of General Statutes of 1894, as amended by chapter 91 of the General Laws of 1899, relating to inspection of steam vessels and steam boilers.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section four hundred and eighty (480) of General Statutes 1894, as amended by chapter ninety-one (91) of the General Laws of Minnesota for eighteen hundred and ninety-nine (1899), be and the same hereby is amended so as to read as follows, to wit:

Governor
to appoint
one inspector
in each sen-
atorial dist.

Section 480. Within sixty (60) days after the passage of this act, and biennially thereafter, there shall be appointed by the governor a board of fifty-three (53) inspectors, one (1) of whom shall reside in each senatorial district, except as hereinafter provided, whose duty it shall be to inspect all steam boilers in use within the state, not subject to inspection under the laws of the United States and not hereinafter excepted, and to examine

and grant certificates of license to steam engineers entrusted with the care and management of steam boilers; *provided, however*, the provisions of this act shall not apply to heating plants in private residences. And *provided further*, that when there is more than one senatorial district within any one county in this state, in such counties there shall be but one boiler inspector for each of such counties. Said inspectors shall examine and license all masters and pilots on inland waters of the state, and such examination shall be conducted, as near as may be, pursuant to the rules and regulations provided by the laws of the United States for the examination of masters and pilots. Said inspectors shall hold their respective offices for two (2) years from February first (1st), respectively, and until their successors are appointed and qualified, unless sooner removed by the governor. Said inspectors shall annually on or before the thirty-first (31st) day of January, render a report to the secretary of state, and to the legislature, showing a detailed statement of the number of inspections made, licenses issued, and the amount of fees received therefor, also showing the amount of disbursements of their offices.

Except in counties containing more than one district.

SEC. 2. That section four hundred and ninety-four (494) of General Statutes 1894 be amended to read as follows, to wit:

Section 494. Each boiler inspector may appoint one or more deputies within his respective district who shall possess the same qualifications as are prescribed for boiler inspectors, and shall qualify by taking the oath prescribed by section four hundred and eighty-one (481) General Statutes 1894, and such deputies shall have the authority within the district for which they are appointed as the boiler inspectors have.

Deputies.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

H. F. No. 821.

Express
trusts.

CHAPTER 132.

Repealed March 1894
132
10-10-10
Bequest
11
Bequest
100
 An act to amend the sixth subdivision of section 4284 of the General Statutes of Minnesota for 1894, as amended by chapter 95 of the laws of 1901, relating to express trusts.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. "That the sixth subdivision of section 4284 of the General Statutes of 1894, as amended by chapter 95 of the laws of 1901, be, and the same is hereby amended so as to read as follows:—"

"Sixth—to receive, by gift, grant, devise or bequest, to, or in trust for, any person, association, institution or corporation, public or private, municipal or quasi-municipal, or otherwise, or to, or in trust for, any corporation permitted, provided or directed to be organized in or by any deed, contract, last will, or other instrument, or to or for any charitable, benevolent, religious or educational use or uses, purpose or purposes, created or declared, or attempted to be created or declared, in or by means of, any otherwise duly executed and valid deed, contract, or will; and to take charge of any money, stocks, bonds, personal and real estate, or either; choses in action, and property of any and every kind whatever, and invest, reinvest and apply the income, or net income thereof, or the principal and the income, or net income thereof for the benefit of any public library association, in any city or village; or any public cemetery association, located within the limits or within ten miles of the corporate limits of any such city or village; or to, or for, or in favor of any of the uses and purposes mentioned above, or mentioned in title 4 of chapter 34; nor shall any such instrument, nor any such gift, grant, devise or bequest, be, or be deemed, invalid, by reason of the indefiniteness or uncertainty of the person or persons, class or classes, object or objects, purpose or purposes, designated or attempted to be designated, in such instrument; *provided* the general purpose or intention of the donor, howsoever expressed, be sufficiently indicated so that, either from express declaration therein or from his circumstances, relations and condition, and the nature of the benefaction, such intention—as to amount,

03 c 132
 93-M - 210
 100-NW 1104

general purpose, and medium or means of accomplishment—is reasonably capable of being deduced, identified and carried into practical effect, and without regard to the position, station or character—official, ministerial, personal or otherwise—of the person or corporation by whom or which, or the nature or character of the act, proceeding or ceremony through which, it appears from such declaration or from such intention or general purpose, so ascertained as aforesaid, such general purpose was expected to be carried out. If, in any such instrument there be a trustee named to execute the same, or to aid in executing the same in whole or in part, then the legal title to the property so given, granted, devised or bequeathed, or attempted so to be, shall vest in such trustee, and the successor or successors of such trustee, charged with the wishes, trust and will declared by the maker of such instrument. If no trustees be named, or if trustees be named, and to succeed the duties or holding of the trustees a corporation be permitted, provided or directed by such instrument to be organized to carry out the trust, wishes and will in whole or in part, of the maker of such instrument, then such title shall vest in, or such donation take effect in favor of such corporation and its successor, or successors, when it is formed; but if no trustees be named or no corporation be permitted, provided or directed to receive such donation, then the legal title to all such property shall vest in the district court, and such court shall have control thereof. In any such case, such trustees, or such corporation when formed, and the successor or successors of each respectively, or the district court, as the case may be, shall have the power, authority and jurisdiction to administer such trust, and the property thereof, charged with the wishes trust and will declared by the maker in such instrument. And in every case the court shall have the same power in respect of every such instrument, gift, grant, devise and bequest, and every trust in relation thereto, as is conferred upon it in respect of any and all other trusts; and, in addition thereto, whenever it shall appear to the court that the circumstances are such, in the case of an instrument containing a gift, grant, bequest or devise to or in favor of an educational, religious, charitable or benevolent use or purpose, as to render impracticable or impossible a literal compliance with the terms of such in-

strument, the court may, upon the application of the trustee, or of any person or corporation having the custody of the property, or claiming to be interested in or under the terms of such instrument, upon such notice as the court shall direct, in accordance with law and its practice in other cases, hear and determine the matter presented by such application; and, if the court shall find that, according to the rule of construction above provided, it is possible, reasonably and approximately, to determine the proper construction of such instrument, so as to practically accomplish the general purpose of the testator or grantor, the court shall make an order directing that such gift, grant, bequest, or devise shall be administered, applied or expended in such manner as, in the judgment of the court, will most effectually accomplish the general purpose of the instrument, without regard to, and free from any specific restriction, limitation or direction contained therein; *provided, however*, that no such order shall be made without the consent of the donor or grantor of the property, if he be living. Whenever so requested in writing by any person interested, it shall be the duty of the attorney general to represent the beneficiaries in all such cases, and to enforce such trusts by appropriate proceedings.

SEC. 2. Nothing in this act contained shall in any manner impair, limit, or abridge the operation and efficacy of the whole or any of the provisions of chapter 158 of the laws of 1895, entitled, "An act to provide for the organization and government of societies organized to administer and furnish relief and charity for the worthy poor who may reside in a designated locality, or of any right or interest already vested, or of any gift, grant, devise, bequest, or will, made by any person now deceased or of the laws applicable to the enforcement and enjoyment thereof, or to apply to or affect any litigation now pending in any of the courts of this state.

SEC. 3. All acts and parts of acts, inconsistent with the provisions of this act, are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 4, 1903.

CHAPTER 133.

R

H. F. No. 658.

An act to authorize the board of county commissioners of the several counties of the State of Minnesota to issue bonds to pay for building a court house, in any of said counties, now in the course of construction, and for which contracts have been entered into by said board of county commissioners of said counties.

Authorizing county commissioners to issue bonds for building court house in certain cases.

03 c 133
97-M - 402
106-NW 477
5-LRA
(n s) 327

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The board of county commissioners of the several counties of the State of Minnesota which have entered into a contract for building and constructing a court house, by which any obligation has been created prior to the passage of this act, and have expended at least \$7,000.00 towards building a court house for the use of such county, are hereby authorized and empowered to issue at any time prior to the first day of September, 1903, the bonds of said counties for an amount not exceeding thirty-five thousand dollars, with interest coupons attached, for the purpose of paying such obligation and indebtedness of said county, which bonds and the proceeds thereof shall be used for no other purpose than that of completing the building of such court house.

SEC. 2. The said bonds shall be in such sums as the board of county commissioners shall determine, and shall bear interest at a rate not exceeding five per cent per annum, payable annually.

The principal shall become due and payable at such time or times as the said board of county commissioners may by resolution determine, not less than five (5) or more than twenty (20) years from the date of the issuance of said bonds, respectively.

SEC. 3. The bonds and the interest coupons attached, issued under the provisions of this act, shall be signed by the chairman of the board of county commissioners, and attested by the auditor, and sealed with his official seal, and be made payable at the office of the county treasurer of said county. The auditor shall keep a record of all bonds issued under the provisions of this act, which record shall show the date, number and amount of each bond; the rate of interest; the time when due;

the place where payable, and the name of the party to whom issued.

SEC. 4. The board of county commissioners shall, annually, after the date of issuance of said bonds, levy a tax upon the taxable property of said county, in addition to all other taxes levied, sufficient to pay the interest accruing yearly upon the bonds issued in pursuance to this act; and when any of the principal is about to become due, they shall in like manner levy a sufficient amount of taxes to pay such principal when due.

SEC. 5. The board of county commissioners shall have authority to negotiate said bonds but for not less than their par value.

SEC. 6. This act shall apply to unorganized counties as well as to organized counties, except counties having a population of more than 100,000 people.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved April 6, 1903.

H. F. No. 42.

CHAPTER 134.

Purchase of
land for for-
estry purposes.

An act to enable the Minnesota state forestry board to purchase land for forestry purposes.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The Minnesota state forestry board is hereby authorized to acquire by purchase for the state at not exceeding two dollars and fifty cents (\$2.50) per acre and preferably at the sources of rivers any land in this state that is adapted for forestry but not to exceed in any one congressional township, one-eighth part of the area of such township, and to take such steps as are necessary to maintain forest thereon according to forestry principles. One-quarter part of the net forest revenue from such lands shall always be paid to the respective towns in which the lands are situated. No money shall be paid by the state for any such land until the attorney general shall certify that the deed thereof conveys a clear title in the state.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

CHAPTER 135.

H. F. No. 97.

An act to appropriate money to reimburse Anthony Yoerg for his expenses incurred in the contest of his election as a member of the Legislature of the State of Minnesota for the year 1903.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the sum of \$349.00 be and the same is hereby appropriated out of any money in the state treasury not otherwise appropriated, to be paid to Anthony Yoerg, a member of the present House of Representatives of the Legislature of the State of Minnesota to reimburse him for his expenses incurred in the contest for his seat in the said House instituted against him by one Charles S. Schurman. That a warrant payable to said Anthony Yoerg or his order, for said sum be drawn by the proper officer of the State of Minnesota, and be delivered to him, or to his order, for payment.

Appropriation for Representative Yoerg.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

CHAPTER 136.

H. F. No. 105.

A act to provide for the erection of a suitable monument and tablets to the Minnesota troops who fought on the battlefield of Vicksburg, in the State of Mississippi, in 1863, in the National Park set apart and improved under the act of congress of February twenty-first, eighteen hundred and ninety-nine.

Monument for Minn. troops.

Whereas, under the act of the Legislature of the State of Minnesota, approved April 2nd, 1901, the governor of the State of Minnesota appointed a commission, as in said act provided, which commission has discharged the duties in said act specified, and determined the positions of the Minnesota troops and organizations in the assault and siege of Vicksburg, and designated the positions held by the respective organizations and the places where the soldiers of this state fell in said assault and siege, and have recommended that the sum of forty thousand dollars should be appropriated to permanently and suitably mark the position of such troops and worthily commemorate

Appoint a commission.

Designate the position.

the valor and services of the Minnesota soldiers in the campaign and siege of Vicksburg; and,

WHEREAS, The United States government has already designated the principal lines of battle and investment upon the historic battlefield of Vicksburg, by constructing broad avenues thereon and setting apart certain circles designating the position occupied by the commander of the Union forces, and many states represented by volunteer forces in said army are about to erect at appropriate places elegant and enduring monuments marking the positions and containing brief records of all the services of the several regiments and organizations there engaged; and,

WHEREAS, The Third, Fourth and Fifth Regiments of Minnesota infantry volunteers, and the First Minnesota battery rendered most distinguished services in said campaign, and in the assault and siege of Vicksburg, executing every order of their respective commanders, carrying every position on the respective battlefields that they were directed to carry, and in the assault moving forward to the ditch of the enemy's fortifications at great sacrifice of life.

Now, Therefore:

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That there be constructed and erected a suitable monument to the Third, Fourth and Fifth regiments of Minnesota volunteers, and of the First Minnesota battery, on or near the circles indicating the position of General Grant's headquarters during the siege of Vicksburg; and in addition three bronze tablets, one on or near the position where the troops of the Fourth Minnesota infantry fell in the assault on the 22nd day of May, 1863, near where the Baldwin Ferry road passed through the Confederate works; one on the ground over which the Fifth Minnesota infantry made its assault on the same day, and one on the position occupied by the First Minnesota battery.

SEC. 2. There shall be inscribed on such monument and tablets, in addition to other appropriate inscriptions, such legends and inscriptions as will suitably commemorate the services rendered by the Third and Fifth infantry in the lines of circumvallation and in positions

Battlefield
of Vicks-
burg.

Records of
service.

Minn. regi-
ments.

Recommends
monument.

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§§ 1, 2

07 - 251

Fell in
assault.

Inscription
on tablets.

not included in the area of the National Park, and on such tablets shall be inscribed the names of the Minnesota soldiers who fell in the siege and assault of Vicksburg.

Names of
Minn.
soldiers.

SEC. 3. Any money which may be appropriated to carry out the provisions of this act shall be drawn from the treasury by the governor upon his warrant or requisition therefor.

SEC. 4. The governor is hereby authorized to appoint three commissioners who shall serve without compensation, but whose necessary expenses may be paid from any moneys which may be appropriated to carry out the provisions of this act (but such expenses shall not exceed the sum of one thousand (\$1,000) dollars). Said commissioners shall devise a design and plan of such monument and tablets and contract for their construction and erection, after such designs and plans have been furnished to the Vicksburg Park commissioners, and by them been submitted to the secretary of war and received his written approval of the same, and of the positions in which the same are to be placed, and also after same have been approved by the governor of the state.

Appoint com-
missioners.

Devise a
design.

Approval by
governor.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

CHAPTER 137.

H. F. No. 114.

An act to legalize the expenditure of money by cities or villages to secure the opening of government or Indian lands lying adjacent thereto or in the immediate vicinity thereof.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That whenever the common council or [of] any city or village of this state lying adjacent to or in the immediate vicinity of any Indian reservation not yet opened for settlement, the opening of which would greatly benefit such cities or villages, have between the first day of January, 1902, and the first day of April, 1903, expended money for the purpose of paying the necessary expenses of delegates to lay the matter of opening such lands to settlement before the government of the United States at Washington, such expenditures are hereby legalized.

Legalizing
expenditure
of money.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

H. F. No. 253.

CHAPTER 138. *R*

Listing
property.

An act to amend section one thousand five hundred fourteen (1514) of General Statutes of one thousand eight hundred ninety-four (1894), in regard to the listing of real and personal property.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one thousand five hundred fourteen (1514) of the General Statutes of one thousand eight hundred ninety-four (1894) be and the same is hereby amended so as to read as follows:

Assessed in
even num-
bered years.

All real property in this state, subject to taxation, shall be listed and assessed every even-numbered year, with reference to its value on the first day of May preceding the assessment; and all real estate becoming taxable any intervening year shall be listed and assessed with reference to its value on the first day of May of that year. Personal property shall be listed and assessed annually, with reference to its value on the first day of May.

Assessed on
1st of May.

Personal property purchased or acquired on the first day of May shall be listed by or for the person purchasing or acquiring it.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

H. F. No. 290.

CHAPTER 139. *R*

Grants village
authority to
vote bonds
for street
railroad
purposes.

An act empowering village councils in villages of less than three thousand (3,000) inhabitants to grant authority for the construction of street railway lines for the purpose of connecting such villages with surrounding territory, and legalizing and confirming such authority heretofore granted by such village councils.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the village council of any village in this state having a population of less than three thousand

(3,000) inhabitants is hereby empowered to grant by ordinance to any person, persons, or corporation, for the purpose of connecting any such village with other villages, cities or outside territory, by what is commonly known as street railway lines, the right to construct, maintain and operate street railway lines, by other than steam power, for the transportation of passengers on any of the public streets of said village for a period not exceeding twenty-five (25) years. *Provided, however,* that nothing herein contained shall be construed to authorize the granting of any exclusive franchise.

Less than
3,000 in-
habitants.

No exclusive
franchise.

SEC. 2. Where any village council of any such village has heretofore granted by ordinance or resolution to any person, persons or corporation the right to use its streets for the construction and operation of street railway lines of the character prescribed herein for a period not to exceed twenty-five (25) years from the date of the passage of such ordinance or resolution and the acceptance thereof by such person, persons or corporation, said ordinance or resolution is hereby legalized and declared to be valid.

Right to use
streets.

Action
legalized.

Provided, that nothing herein shall be construed to confirm or legalize the granting of any franchise to the extent of making the same exclusive.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

CHAPTER 140.

R

H. F. No. 304.

An act providing for the appointment of agents to demand fugitives from justice or any person charged with a felony, or any other crime committed in the State of Minnesota, and the payment of the expenses of said agents.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The governor of this state may, in any case authorized by the Constitution and Laws of the United States, appoint agents who shall be the sheriffs of the counties respectively from which applications for extradition shall come in all cases where the sheriff of such county can serve to demand of the executive authority of

Agents who
shall be
sheriffs.

Attorney
general shall
investigate.

any state or territory any fugitive from justice or any person charged with a felony, or other crime, in this state; and whenever an application is made to the governor for that purpose the attorney general, when required by the governor, shall forthwith investigate, or cause to be investigated by any county attorney, the grounds of such application and report to the governor all material circumstances which may come to his knowledge, with an abstract of the evidence, and his opinion as to the expediency of the demand; and the accounts of the agents appointed for such purpose shall in each case be audited by the board of county commissioners of the county wherein said crime is alleged to have been committed upon which said proceedings for extradition are based, and said expenses shall be paid from the treasury of said county. Said agent so appointed shall receive the sum of four dollars (\$4.00) for each calendar day and necessary expenses incurred by him in the performance of such duties.

Compensation
for agent.

SEC. 2. Section 7084 of the General Statutes of the State of Minnesota, of 1894, is hereby repealed.

Expense paid
by county.

SEC. 3. During the year 1903, the expenses of any extradition may be paid from any funds in the county treasury not specially appropriated or set aside for other purposes.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

H. F. No. 348.

CHAPTER 141.

R

Contagious
diseases
among cattle.

An act to amend sections four (4) and twelve (12) of chapter two hundred and thirty-three (233) of the General Laws of 1897, as amended by chapter three hundred and twenty-two (322) of the General Laws of 1901, entitled, "An act to prevent the spread of contagious and infectious diseases among domestic animals in this state."

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section four (4) of chapter two hundred and thirty-three (233) of the General Laws of 1897, as amended by chapter three hundred and twenty-

two (322) of the General Laws of 1901 be and the same is hereby amended so as to read as follows:

Section 4. No animal shall be killed by any of the boards of health herein mentioned until it shall first have been adjudged to be infected with a contagious or infectious disease either by a duly authorized agent of the state board of health, or by a competent veterinary surgeon selected by a local health officer or board of health; except, that, whenever, in the judgment of the state board of health, the control or eradication of a disease renders it advisable to do so, such board may order killed and buried, or otherwise destroyed, any domestic animal which has been exposed to a contagious or infectious disease, although at the time not infected therewith.

Must be
adjudged in-
fected.

Animals may
be killed.

Provided, however, that cattle in this state shall not be adjudged infected with the disease of tuberculosis or condemned as being so infected, and that horses in this state shall not be adjudged infected with the disease of glanders or condemned as being so infected except and until such animal has been inspected by a competent veterinarian under the authority of the state board of health.

Must be in-
spected by
veterinarian.

SEC. 2. That section five (5) of chapter two hundred and thirty-three (233) of the General Laws of 1897, as amended by chapter three hundred and twenty-two of the General Laws of 1901 be and the same is hereby amended so as to read as follows:

Section 5. Whenever a domestic animal has been adjudged to be infected with a contagious or infectious disease and has been ordered killed, the owner or keeper of such animal shall be notified thereof, and within twenty-four (24) hours thereafter he may file a written protest with the board of health which is responsible for such killing, against the killing thereof, and shall therein state under oath that to the best of his belief such animal is not infected with any contagious or infectious disease. Whereupon such animal being killed notwithstanding such report, a post mortem examination thereof shall be made by experts who shall be present at the killing and shall be appointed one by the board of health, or its representative, which ordered the killing, one by the owner or keeper, and one by the two already appointed, and if upon such examination said animal shall be found to have been entirely free from contagious or infectious

Owner shall
be notified.

Post mortem
required.

Appointment
of experts.

Pay of
experts.

Appraisements
to be in
writing.

Duty of board
of health.

No compen-
sation for
experts on
salary.

Value of
animal deter-
mined by
appraisers.

Appraise be-
fore being
killed.

disease they shall also appraise it at its cash value immediately before it was killed, and the amount of such appraisal shall be paid to the person entitled thereto out of the funds of the state or the municipality ordering the killing. The experts shall be paid one-half by the owner or keeper making the protest and one-half by the state or municipality whose board of health is responsible for the killing. In case the owner or keeper of such animal shall fail to appoint in writing at the time, an expert as herein provided, an expert shall be appointed by the state board of health or its representative in lieu of the one provided herein by the owner or keeper. All appraisements and examinations made under this act shall be in writing, signed by the appraisers or examiners, certified to by the board of health ordering the examination or killing, and filed with the treasurer of the state or of the municipality which is responsible for the examination or killing. Upon the filing of any such examinations as appraisal it shall be the duty of the board of health which is responsible for the examination or killing to make a certificate under the hand of its secretary as to the number of days served by and the amount due to said experts or appraisers and to file the same with the treasurer of the state or municipality, as the case may be, which is responsible for the examination or killing, and upon such filing, such treasurer shall pay to each of said experts or appraisers the amount due him, and to the person entitled thereto the amount due him by the terms hereof; *provided, however*, that any expert or appraiser employed on a salary by the board of health shall receive no compensation hereunder. Whenever any domestic animal has been adjudged infected with the disease of tuberculosis or glanders and has been ordered killed by a duly authorized representative of the state board of health and is killed in accordance therewith after or without protest, the value of such animal shall be determined by a board of appraisers consisting of three competent and disinterested men, one to be appointed by the state board of health or its representative, one by the owner or keeper of the condemned animal, within twenty-four (24) hours after the killing is ordered and the third by the two already appointed, who shall appraise it, before it is killed, at its cash value, *provided*, that in determining such value the fact that such animal was infected by tuberculosis or glanders

shall not be taken into consideration, and *provided further* that in no case shall the appraised value of a horse afflicted with glanders exceed seventy-five (75) dollars, and in no case shall the appraised value of a cow afflicted with tuberculosis exceed thirty-five (35) dollars; and *provided* that payment shall not be made for any such animal unless such animal is one year old or over, and has been kept in this state in good faith for at least one year next prior to the killing thereof. In case the owner or keeper fails to appoint an appraiser, as herein provided, one shall be appointed on his behalf by the representative of the state board of health. The market value of the carcass of the tuberculosis animal shall be deducted from the appraised value of the animal, and three-fourths the remainder thereof or three fourths of the appraised value of the glandered horse shall be paid by the state in the manner hereinbefore set forth to the person entitled thereto who shall bear the remaining one-fourth of the loss. Each appraiser shall receive one (1) dollar a day for his services as appraiser. Whenever any such animal which has been adjudged to be infected is killed by order of said board, but not by the owner or keeper thereof, a post mortem examination thereof shall be made by experts appointed as aforesaid, and if found to have been entirely free from any infectious disease, the value of such animal shall be determined, and paid for as hereinbefore specified. Except as in this section expressly provided, no compensation shall be paid for any animal killed by virtue of any authority given by this act.

Maximum
value of
horses and
cows.

Must be one
year old or
more.

Market value
of carcass
deducted.

Pay of
appraisers.

If free from
infectious
disease.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

CHAPTER 142.

R

H. F. No. 435.

An act to amend section thirty-two (32) of chapter one hundred and seventy-five (175) of the General Laws of 1895, entitled "An act to revise and codify the Insurance Laws of the State."

Amends in-
surance laws.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section thirty-two (32) of chapter one hundred and seventy-five (175) of the General Laws

of 1895, entitled "An act to revise and codify the Insurance Laws of the State," be amended to read as follows:

Capital stock.

Section 32. The capital stock shall be paid in cash within six months from date of charter or certificate of organization, and no certificate of full shares and no policies shall be issued until the whole capital is paid in; *provided, however*, that a company organized to insure bicycles against loss from theft to have its entire capital subscribed within six months from the date of charter or certificate of organization and shall be authorized to transact its business when not less than ten thousand dollars (\$10,000) of its authorized capital shall have been paid in.

Insures
bicycles.

Oath required.

A majority of the directors shall certify on oath that the money has been paid by the stockholders for their respective shares and the same is held as the capital of the company, invested or to be invested as required by this section. The capital stock and accumulations of any insurance company of this state shall be invested in the bonds or treasury notes of the United States or national bank stock or interest-bearing bonds of this state or any other state of the United States, or of any city, town or county of this state or any other state of the United States, having legal authority to issue the same at their market value, or in any interest or dividend-paying stocks or bonds issued under the laws of this state or any other state of the United States at their known market value, loaned on notes secured by pledge of warehouse receipts, issued by a duly licensed public warehouse in this or any other state of the United States, for grain in storage, or they may be invested or loaned on mortgages of unincumbered real estate in this or any other state of the United States, worth at least twice the amount loaned thereon, exclusive of buildings, except when such buildings are insured and the policies duly assigned as additional security; or loaned on pledges of any of the securities named in this section; *provided always*, that the current market value of such pledged securities shall be at all times during the continuance of such loans at least twenty per cent more than the amount loaned on them, and all such loans are subject to the power of the company to terminate same in case of depreciation of the securities below the limit; and *pro-*

Must be invest-
ed in bonds
of U. S.

Or city,
county or
state.

May be
loaned or
invested.

Current
market
value.

vided, that in all investments made upon mortgaged securities the evidence of the debt shall accompany the mortgage or deeds of trust.

Evidence of debt to accompany deeds.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

CHAPTER 143.

R

H. F. No. 473

An act to amend section eight (8), chapter one hundred and forty-three (143) of the General Laws of 1893, entitled "An act to provide for the creation and organization of new counties and the government of the same."

New counties.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section eight (8) of chapter one hundred and forty-three (143) of the General Laws of 1893, be and the same is hereby amended so as to read as follows:

Section 8. All such return of votes on any such proposition shall be canvassed by the state canvassing board at the same time that they canvass the votes for state, congressional or other officers cast at the same election; and such canvassing board shall make and file with the secretary of state their separate certificate declaring the result of the vote in each case and upon each and every proposition to create any new county or counties. In case all such returns have not been received from the proper county canvassing board, the state canvassing board may use the returns received from the judges of election of the election district of the county which has not reported; but the proper county officers may notwithstanding be compelled to make return as herein required. Upon the making and filing of any such certificate to the effect that any such proposition has received a majority of the votes cast at such election in each county, on all questions relating to a change of said county boundaries, to be affected thereby it shall be the duty of the governor to, within ten days thereafter, issue his proclamation announcing that such proposition has received a majority of the votes and declaring such proposition adopted, and the secretary of state shall cause such proclamation to be published for three successive

Canvass of votes.

May use returns received.

Compelled to make returns.

Duty of the governor.

Issue proclamation.

Must be
published.

weeks in all of the legal newspapers in the county or counties affected, having a general circulation, and transmit a certified copy thereof to the county auditor of the county or counties out of which said new county has been created, who shall cause the same to be published three weeks in the official paper of the county, and to each of the persons elected as county commissioners in such new county. The secretary of state shall also file and record in his office in said book of such records the certificate of the state canvassing board stating that such proposition received a majority of the votes cast, together with the proclamation of the governor declaring the same to have been adopted; and a duly certified copy of this proclamation shall in all cases be received as full evidence of the legal and valid organization and existence of such county.

Majority of
the votes.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

II. F. No. 320.

CHAPTER 144.

To make
contracts.

An act entitled "An act authorizing any city of this state, now or hereafter having a population of over 50,000 inhabitants, to make contracts for the purchase of a supply of electric power or of gas, or both, for operating an electric or gas lighting or heating plant or system, or both such plants or systems, owned by such city."

Be it enacted by the Legislature of the State of Minnesota:

Population of
over 50,000.

SECTION 1. That any city of this state now or hereafter having a population of over fifty thousand inhabitants, and at the same time owning an electric or gas lighting or heating plant or system shall be authorized and empowered to enter into a contract or contracts for the purchase by such city of electricity or gas for the purpose of operating such electric or gas lighting or heating plant or system owned by such city, or for operating both such plants or systems, upon such terms as may be approved by a three-fourths vote of all of the members-elect of the governing body thereof; *provided*, that such city shall not be authorized to agree by such contract for the payment of a higher price than the lowest price charged at the time by the person or corporation with

Electric or
gas lighting.

whom such contract is made, for a like amount of electric power or gas furnished to any other person or corporation under similar circumstances; and *provided further*, that such contract shall not be made to run for a period exceeding ten years.

Not to exceed ten years.

SEC. 2. The obligation incurred by any such city in the making of such contract shall not be considered as a part of its indebtedness under the provisions of its governing charter or of any law of this state fixing a limit of indebtedness for such city; nor shall such city be required at any time before making or during the life of such contract, to provide for or have on hand in its treasury more money applicable to such contract than the amount to be paid thereon during a single year.

Part of its indebtedness.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 6, 1903.

CHAPTER 145.

R

H. F. No. 556.

An act to amend chapter sixty-six (66) of the General Laws of 1901 of the State of Minnesota entitled: "An act authorizing the board of regents of the University of Minnesota as a body corporate under the name of the University of Minnesota to accept in trust or otherwise all kinds of property for educational purposes and to hold, manage, invest and dispose of the same."

Board of regents.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter sixty-six (66) of the General Laws of 1901 of the State of Minnesota be and the same is hereby amended so as to read as follows:

SEC. 2. The board of regents of the University of Minnesota, as a body corporate, under the name University of Minnesota, is hereby expressly authorized and empowered to accept, in trust or otherwise, any gift, grant, bequest or devise of property, real, personal or mixed, for educational purposes, and to hold, manage, invest and dispose of the same and the proceeds thereof and the income therefrom, in accordance with the terms and conditions of such gift, grant, bequest or devise, and of the acceptance thereof, any law of the State of Minnesota to the contrary notwithstanding.

Authorized to accept trusts, gifts, etc.

State treasurer to have custody of funds.

SEC. 3. Whenever it is provided by the terms of any deed, will or other instrument heretofore made or which may hereafter be made conveying any property to said University of Minnesota in trust or otherwise that the state treasurer shall have the custody of the money, securities or other property given, granted or bequeathed, it shall be the duty of said treasurer to receive such money, securities or other property and to preserve and care for the same as state funds in his custody are preserved and cared for, and said money, securities or other property shall be fully protected and secured by the bond of such treasurer in like manner as state funds are protected and secured.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

H. F. No. 537.

CHAPTER 146.

R

Tunnels under railroads.

An act to authorize owners of land over which a public highway runs leaving the owner's land on two sides of the highway, to construct a tunnel under the roadway to permit stock to freely pass through the tunnel from one side to the other.

Be it enacted by the Legislature of the State of Minnesota:

Right to tunnel.

Must be protected.

SECTION 1. Any owner of land in the State of Minnesota, over which public highways are laid out or run, when the land on both sides of the road belongs to the same party, shall have the right to tunnel under the highway to permit stock to freely pass under the highway from one side to the other; *provided, however*, the tunnel shall be, by the owner, protected so as not to endanger the public in the use of the highway, and for said purpose the tunnel may be fenced and shall be bridged, and in all cases the bridge shall be at least sixteen feet wide, and the sides thereof provided with railings at the expense of the land owner.

Permission from town supervisors.

SEC. 2. Before constructing any tunnel across a highway for purposes set forth in section one (1) hereof, the land owner shall obtain from the town supervisors of the town in which the land is situated, an approval of the place at which the tunnel is proposed to be con-

structed: *provided, however*, that if any tunnel is constructed without obtaining such approval, the same shall be valid, unless the supervisors of the town in which the said tunnel is located, shall cause the same to be abated within one year from the time of the completion of the tunnel and any tunnel now constructed shall be valid when approved by the said supervisor of said town.

Construction
of tunnel
valid.

SEC. 3. All bridges over such tunnels shall be constructed of such material and built in such manner as to make travel over the same safe. If the supervisors of the town in which any such tunnel may be, deem the bridge insecure, or the tunnel not properly guarded, they shall have the right at any time within one year from the time of the construction of the same to cause the same to be put in proper and safe condition at the expense of the land owner, said expense to be the reasonable cost of putting the same in condition, and be certified by the town clerk to the county auditor, to be carried forward and assessed to the land to be paid in the same manner as road taxes are paid, and the tunnel outside of the bridge may, at any time the said supervisors deem the same out of repair, cause the same to be placed in repair and assess the reasonable cost of the same in like manner to the land.

Must be
properly
built.

Cost to be
reasonable.

Repair of
tunnels.

SEC. 4. After the bridge has been constructed and the same has been used for one year thereafter the town in which the same is located shall keep the same in repair.

Town to
keep in
repair.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

CHAPTER 147.

S. F. No. 35.

An act to legalize the conveyance by county commissioners of real estate belonging to counties in this state.

Legalizes
sale of
real estate
by counties.

It is enacted by the Legislature of the State of Minnesota:

SECTION 1. That all sales, contracts for sale, and conveyances of real estate by any county in this state heretofore made by the board of county commissioners of any such county, when the purchase price has been fully paid or secured, are hereby legalized, and the same

shall be, and hereby are in all things ratified and confirmed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

S. F. No. 72.

CHAPTER 148.

R

An act authorizing the board of county commissioners of any county in this state to sell and otherwise dispose of any property belonging to the county.

Be it enacted by the Legislature of the State of Minnesota:

May sell
property
belonging
to county.

SECTION 1. The board of county commissioners of any county in this state, at any regular or special meeting thereof by resolution may in its discretion, as the said board may deem most advantageous to the county, sell, convey, lease or otherwise dispose of any real or personal property belonging to the county, not in use by the county.

Executed
in name
of chair-
man of
board.

SEC. 2. Every deed, conveyance, lease or other written instrument executed on the part of the county pursuant to section one of this act shall be executed in the name of the county by the chairman of the board of county commissioners of such county, and the county auditor of such county as clerk of said board.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

CHAPTER 149.

S. F. No. 324.

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- 419

An act to amend chapter thirty-one (31) of the General Laws of one thousand eight hundred and ninety-three (1893), as amended by chapter three hundred and twenty-two (322) of the laws of one thousand eight hundred and ninety-seven (1897), and chapter two hundred and ninety-one (291) of the laws of one thousand nine hundred and one (1901), being an act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Minnesota.

Veterinary
medical
examinations.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section four, (4) of chapter thirty-one (31) of the laws of 1893 be amended to read as follows:

Said board of veterinary medical examiners shall elect a president, secretary and treasurer. They shall have a common seal, and the president and secretary shall have power to administer oaths. Said board shall hold meetings for examination at the state capitol on the second Wednesday of January and July of each year; and such other meetings as may be necessary, each session not to exceed three days. Said board shall issue certificates to all applicants who are eligible to registration under section two (2) of this act, signed by the president and secretary of the board. Such certificates shall be conclusive as to rights of the lawful holders of the same to practice veterinary medicine, surgery and dentistry in this state.

Officers
of board.

Meetings.

Certificate
of candi-
dates.

SEC. 2. Section six (6) of chapter thirty-one (31) of the laws of 1893 is hereby amended to read as follows:

Candidates for registration shall pay to the secretary of the board a fee of twenty-five dollars (\$25.00) in advance, from which shall be paid to each member of the board a per diem fee of five dollars (\$5.00) while in attendance on said board and a mileage of four cents per mile; all other moneys above these expenses to be applied in carrying out the provisions of this act.

Fee of
candidates.

Mileage.

SEC. 3. Section eight (8) of chapter thirty-one (31) of the laws of 1893 as amended by chapter three hundred and twenty-two (322) of the laws of 1897, and section 1 of chapter two hundred and ninety-one (291) of the laws of 1901, is hereby amended to read as follows:

Graduates
of veterinary
colleges.

Certificates
from
board of
examiners.

May
employ
attorney.

Three
years' prac-
tice relieves
candidate
from ex-
amination.

Affidavit
required.

All persons of this state who hereafter commence the practice of veterinary medicine, surgery or dentistry therein shall be graduates of some legally authorized veterinary college or university, having a curriculum of not less than three sessions of six months each; *provided*, that any person who has been engaged for not less than five (5) years in the practice of veterinary medicine, surgery or dentistry, in any other state, or who holds a certificate of qualification from the board of examiners of such state, if there be one, shall upon establishing a residence in this state, be entitled to take the examination, and if found qualified, shall be licensed by the proper board to practice veterinary medicine, surgery or dentistry in this state. For the purpose of enforcing this act the said board may employ an attorney to prosecute any person violating the provisions of the law relating to the practice of veterinary medicine, surgery or dentistry; *provided* any person who has practiced the profession of veterinary medicine, surgery or dentistry as a livelihood in this state for three (3) years, immediately prior to April 18th, 1893, may be deemed eligible to registration, and shall without fee or expense receive a certificate upon presentation, to the secretary of the board, his sworn affidavit and letters of recommendation from ten reputable freeholders and stock owners in his locality, or upon presentation of a diploma from a legally authorized veterinary college or university, if made within six months after the passage of this act.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 7, 1903.

S. F. No. 115.

CHAPTER 150.

R

Improve-
ment fund
of cemetery
associations.

An act to amend sections 8 and 10 of chapter 168 of the General Laws of 1887, relating to the permanent care and improvement fund of cemetery associations.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 8 of chapter 168 of the General Laws of 1887, providing for the establishment of permanent care and improvement funds for cemeteries,

be and the same is hereby amended so as to read as follows:

Section 8. Instead of appointing a board of trustees of the care and improvement fund aforesaid, the trustees of such cemetery association may designate any corporation organized under chapter 107 of the General Laws of Minnesota for the year 1883 to act as such trustee during their pleasure; and at any time after such designation they may appoint such board of trustees, or may name another like corporation, to succeed the trustee then acting. In either case, upon being informed of the appointment or creation of its successor in the manner aforesaid, the corporation so acting shall forthwith render to such successor an account of its trusteeship and deliver to it all money, papers and property in its possession or under its control belonging or appertaining to such fund.

Corporations to act as trustees.

Render account of trusteeship.

SEC. 2. That section 10 of said chapter be and the same is hereby amended so as to read as follows:

Section 10. Twenty per centum of the proceeds of all sales of cemetery lots made after the vote of the trustees to establish said care and improvement fund shall be paid over to such board or trustee, quarterly on the first days of January, April, July and October in each year, until the principal of said fund shall amount to at least 100,000 dollars; and any other income or funds of the association, in excess of its liabilities, may be added to such fund by a two-thirds vote of the trustees of such cemetery association. *Provided*, that the principal of such care and improvement fund shall in no event exceed 5,000 dollars for each acre of the cemetery of said association, nor 1,000,000 dollars in the aggregate if the area thereof be more than 200 acres.

Proceeds of sales of lots.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

S. F. No. 185.

CHAPTER 151. *R*

An act to provide stationery, postage and necessary office supplies for all county officers, including the district judges of said county, in all counties of the state which now have, or which may hereafter have, a population of one hundred and fifty thousand inhabitants or over.

Be it enacted by the Legislature of the State of Minnesota:

Commissioners to furnish stationery.

SECTION 1. The county commissioners in all counties of the state now having, or which may hereafter have, a population of one hundred and fifty thousand inhabitants or over, are hereby authorized and directed to furnish all county officers, including the judges of the district court of said counties, all necessary office supplies, postage and stationery, including letterheads and envelopes.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

S. F. No. 198.

CHAPTER 152. *R*

An act to provide for holding meetings of stockholders of corporations which have failed or neglected to hold annual meetings as provided by law.

Be it enacted by the Legislature of the State of Minnesota:

Meeting of stockholders.

SECTION 1. Whenever any corporation organized under the laws of this state shall have failed or neglected to hold its annual meeting for two consecutive years, a meeting of the stockholders thereof may be called in any manner as follows, viz.: A notice signed by stockholders holding one-third of the stock in such corporation, stating the time and place of holding such meeting, shall be published in a newspaper printed and published in the county where the principal office of such corporation is.

Service of notice.

SEC. 2. Such notice shall also be served at least ten days prior to the date of such meeting, upon the president or secretary of such corporation by the sheriff of the county in which the principal office of such corporation is located, if he can be found in such county, and the return of the sheriff thereto shall be prima facie evidence of the facts stated therein.

SEC. 3. The notice heretofore provided for shall be published at least once each week for two consecutive weeks, and a period of at least ten days must elapse between the date of the last publication of such notice and the meeting of the stockholders.

Notice by
publication.

SEC. 4. At any stockholder's meeting of a corporation called pursuant to the provisions of this act, one-third of the stockholders of such corporation shall constitute a quorum, notwithstanding any provisions in the by-laws or articles of incorporation of such corporation to the contrary.

Quorum.

SEC. 5. All acts, or parts of acts, inconsistent herewith are hereby repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

CHAPTER 153.

R

S. F. No. 288.

An act to enjoin the collection of taxes in certain cases and for the correction and adjustment of the same.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That whenever the board of county commissioners of any county in this state shall hereafter levy taxes in said county for any purpose in excess of the amount allowed by law for such purpose, any taxpayer of such county affected by such levy, for himself and all other interested taxpayers in the county, may proceed by suit in the district court of said county, against the county treasurer, the county auditor, and the county commissioners, of said county, to enjoin the collection of said taxes, and for an order of said court requiring the defendants, or either of them, to correct the same, and for such other order as may be deemed proper in the premises for the correction and adjustment of said taxes and tax levy, notwithstanding said person or persons may have a plain, speedy and adequate remedy therein in the due and ordinary course of law. When so corrected and adjusted, the same may be collected as other taxes are collected.

Tax Payers
may proceed

Order from
court

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

S. F. No. 252.

CHAPTER 154.

R

Opening of
mining de-
posits.

An act to amend section five thousand eight hundred and thirty (5830) of the General Statutes of the State of Minnesota for the year eighteen hundred and ninety-four (1894), the same being section one (1) of chapter thirty-seven (37) of the General Laws of Minnesota for the year eighteen hundred and ninety-three (1893), being an act providing for the opening, working and operating mines, quarries, coal, gravel, clay, sand and peat deposits on and in lands the title of which appears by properly executed deeds of record to be in a plurality of persons.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section five thousand eight hundred and thirty (5830) of the General Statutes of the State of Minnesota for the year eighteen hundred and ninety-four (1894), the same being section one (1) of chapter thirty-seven (37) of the General Laws of Minnesota for the year eighteen hundred and ninety-three (1893), being an act providing for the opening, working and operating mines, quarries, coal, gravel, clay, sand and peat deposits on and in lands the title of which appears by properly executed deeds of record to be in a plurality of persons be and the same is hereby amended so as to read as follows:

More than
one year
to run.

Section 5830. That where veins, lodes or deposits of iron, iron ores, minerals or mineral ores of any kind, stone, coal, clay, sand, gravel or peat are known to or do exist on or in lands which are shown by properly executed deeds or leases having more than one year to run, of record in the county in which said lands are situated, to belong to a plurality of owners, the owner or owners of an interest equal to one-half or greater in said lands as shown by said deeds or leases so recorded, may bring action in the district court in the county where said lands are situated, for permission to open, operate and develop said veins, lodes or deposits of iron, iron ores, minerals or mineral ores of any kind, stone, coal, clay, sand, gravel or peat, that are found in or on said lands.

Bring action
in district
court.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

CHAPTER 155. *il*

S. F. No. 256.

An act to revise and amend chapter two hundred and ninety-five (295) of the General Laws of eighteen hundred and ninety-nine (1899) relating to the prevention of fraud in the sale of dairy products, their imitations or substitutes, to prohibit and prevent the manufacture or sale of unhealthy or adulterated dairy products, and to preserve the public health, and to extend the provisions thereof so as to include articles sold for food.

Prevention
of fraud in
sale of
dairy
products.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter two hundred and ninety-five (295) of the General Laws of eighteen hundred and ninety-nine (1899) shall be amended so as to read as follows:

Section 1. The governor shall appoint a commissioner who shall be known as the state dairy and food commissioner, who shall be a citizen of this state and who shall hold his office for a term of two (2) years, or until his successor is appointed, and who shall receive a salary of eighteen hundred (\$1,800) dollars per annum and his necessary expenses incurred in the discharge of the duties required by him by law, and he shall be charged with the enforcement of the various laws coming under his department. It shall be the duty of the said commissioner to enforce all laws that now exist or that hereafter may be enacted in this state regarding the production, manufacture and sale of dairy and food products, their imitations and substitutes and food prepared therefrom, the production, manufacture, sale or adulteration of which is made subject to this or other laws; to prosecute or cause to be prosecuted any person, firm or corporation, or agent thereof, engaged in the manufacture or sale of any impure, adulterated or counterfeit dairy or food products that are produced, offered for sale or sold contrary to the laws of this state, and to encourage and promote the manufacture of pure dairy and food products in the state. Said commissioner may be removed from office at the pleasure of the governor and a successor appointed in his stead. The said commissioner is hereby authorized and empowered to appoint a secretary whose salary shall be twelve hundred (1200) dollars per annum, one assistant com-

Appointment
of commis-
sioner.

Salary of
commissioner.

Duty of
commissioner.

To prosecute
violators.

Appointment
of secretary.

Salaries.

missioner whose salary shall be fifteen hundred (1500) dollars per annum, one chief chemist whose salary shall be fifteen hundred (1500) dollars per annum, and such assistant chemist or chemists when needed to be paid not to exceed one hundred (100) dollars per month, and such number of inspectors as may by him be deemed necessary, to be paid at the rate of one hundred (100) dollars per month, and the necessary expenses incurred in the performance of their duties, and to employ such counsel as

Appropriation.

he may deem necessary. The sum of fifteen thousand (15,000) dollars annually is hereby appropriated to be paid for the execution of the dairy and food laws out of any money in the state treasury not otherwise appropriated. All charges, accounts and expenses authorized by this act shall be paid by the treasurer of the state upon the warrant of the state auditor. The said commissioner shall make biennial reports to the legislature not later than the fifteenth (15th) day of January of his work and proceedings and shall report in detail the number of inspectors he has appointed and employed with their expenses and disbursements and the amount of salary paid the same, and he may from time to time issue bulletins of information when in his judgment the interests of the state would be promoted thereby.

Office at capitol.

The said commissioner shall have rooms in the capitol, to be set apart for his use by the governor, and a laboratory in the capitol where all chemical analyses for the department shall be conducted. The state dairy and food commissioner shall be a practical dairyman; the assistant commissioner, chemists, inspectors and all agents and other persons appointed by the said dairy and food commissioner shall be practical men and especially trained and equipped for the special lines of work they are appointed to perform.

Must be especially trained.

This section shall not affect the tenure of office of the present commissioner and he shall be regarded as having been appointed under the provisions of this act.

Powers of commissioner.

SEC. 2. The said commissioner and assistant commissioner, and such inspectors, agents, experts, chemists and counsel as they shall duly authorize for the purpose, shall have access, ingress and egress to all places of business, factories, farms, buildings, carriages and cars used in the manufacture and sale or transportation of any dairy or food product or any substitute thereof, or any imitation

thereof, and also into all restaurants, dining halls, cafes, dining cars, eating houses, hospitals, lumber camps, railroad camps, either public or private, hotels and all rooms thereof, and all other places wherein food is prepared, stored or served or offered for sale to patrons. They shall also have power and authority to open any package, can or vessel containing such article which may be manufactured, sold or exposed for sale in violation of the provisions of this act, or laws that now exist or that may be hereafter enacted in this state, and may inspect the contents thereof, and may take samples therefrom for analysis. All dealers, clerks, bookkeepers, express agents, railroad officials, employes or common carriers shall render to them all the assistance in their power when so required in tracing, finding or discovering the presence of any article prohibited by law.

May open packages.

SEC. 3. Any refusal or neglect on the part of such dealers, clerks, bookkeepers, express agents, railroad officials, employes or common carriers to render such friendly aid shall be deemed a misdemeanor and shall be punished as hereinafter provided.

Penalty of refusal to aid.

SEC. 4. No person, firm or corporation shall offer or expose for sale or deliver for sale or consumption, or have in his possession with intent to sell, any unclean, impure, unhealthful, unwholesome or adulterated milk or cream from the same, or any milk or cream from the same which has not been well cooled, aerated, or to which preservatives of any kind have been added.

Must not expose for sale.

SEC. 5. No person, firm or corporation shall keep cows for the production of milk for market or for sale or exchange, or for manufacturing the same, or cream from the same, into articles of food, in a crowded condition, or in stables which are not perfectly ventilated and lighted, or which are filthy from an accumulation of animal refuse, or from unsanitary surroundings, or from any other cause. Nor shall milk for such purposes be drawn from cows which are themselves in a condition of filth or uncleanness, or from cows which are affected with tuberculosis, ulcers, running sores, or any other form of disease, or from cows which are fed wholly or in part upon distillery waste, or brewery grains, or the waste of vinegar or garbage or that of sugar factories, or food not properly preserved in silos, or garbage or decayed food in any form, or upon any other form of food which will

Stables must be lighted and ventilated.

Free from disease.

Milk must
not be kept
in stables.

Per cent
in milks.

produce milk which is unhealthful or unwholesome; or from cows within fifteen days before and five days after parturition; nor shall milk or cream produced for such purposes be kept in the stable, or in the house attached or directly connected with the stables in which cows or other animals are kept, or in a place where bad or contaminating odors exist, and all milk and cream thus produced are hereby declared to be unclean, impure, unhealthful and unwholesome milk and cream, and any milk which is shown by analysis to contain any substance or substances of any character whatever not natural or normal constituents of milk, or to have been deprived, either wholly or in part, of any constituent naturally or normally contained in milk, or which is shown to contain more than eighty-seven (87) per centum of water fluids, or less than thirteen (13) per centum of milk solids, of which not less than three and one-half ($3\frac{1}{2}$) per centum shall be fat, is hereby declared to be adulterated milk. This section shall not be construed to prevent the feeding of ensilage from silos when properly preserved. The having in possession of any person, firm or corporation producing milk for market, or for sale, or exchange, or for manufacturing the same, or cream from the same into articles of food, of distillery waste, or brewery grains, or the waste of vinegar, or that of sugar factories not preserved as aforesaid, or garbage or any other form of food which will produce milk which is unhealthy or unwholesome, shall be considered for the purposes of this act as prima facie evidence of an intent to use the same contrary to the provisions of this act.

SEC. 6. All cream that shall contain less than twenty (20) per centum of fat, or that shall contain any added thickener, or foreign coloring matter, shall be deemed to be adulterated.

Adulterated
butter.

SEC. 7. All dairy or creamery butter that shall contain more than sixteen (16) per centum of water shall be deemed to be adulterated.

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7-CL
1671 n86, 92

SEC. 8. No person, firm or corporation shall manufacture from unclean, impure, unhealthful or unwholesome milk, or of cream from the same, any article of food.

not sell or
offer for sale.

SEC. 9. No person, firm or corporation shall sell or offer for sale, or have in his possession with intent to sell, any cream taken from impure, unwholesome or diseased

milk or cream that contains less than twenty (20) per centum of fat.

SEC. 10. No person, firm or corporation shall sell or expose for sale, or have in his possession with intent to sell, in any store or place of business, or on any wagon or other vehicle used in transporting or selling milk from which cream has been removed, or milk commonly called "skimmed milk," without first marking the can, vessel or package containing said milk with the words "skimmed milk," in large, plain, black letters upon a light-colored background, each letter being at least one (1) inch high and one-half ($\frac{1}{2}$) inch wide; said words shall be on the top or side of said can, vessel or package where they can be easily seen. *Provided*, that the provisions of this section shall not apply to any patron of any creamery who receives from said creamery any skimmed or separated milk which is intended for his own use. *Provided further*, that all creameries before delivering to any patron any skimmed or separated milk shall have pasteurized the same at a temperature of at least one hundred and eighty (180) degrees Fahrenheit.

Must label
the can.

Temperature
of milk.

SEC. 11. It shall be the duty of said dairy and food commissioner to cause the inspection of all creameries, cheese factories and all other places or buildings where dairy products of any nature whatever are produced, manufactured, stored or kept for sale, at such time or times as may be deemed best by him, and he shall have authority to require the construction of necessary drains or improvements to correct any unsanitary or improper conditions, either in the manufacture, storage or sale of said products, and give such instructions as will cause the improvement of any such conditions as may be found to exist, that he may deem should be changed for the public good, and to cause all such conditions to be fully complied with.

Inspection of
creameries.

Drains and
improvements.

SEC. 12. The state standard milk measures or pipettes shall have for milk a capacity of seventeen and six-tenths (17 $\frac{6}{10}$) cubic centimeters, and for cream shall have a capacity of eighteen (18) cubic centimeters, and the state standard test tubes or bottles for milk shall have a capacity of two (2) cubic centimeters of mercury at a temperature of sixty (60) degrees Fahrenheit between "zero" and ten (10) on the graduated scale marked on the necks thereof; and the standard test tubes or bottles for cream

Standard
milk
measures.

Misdemeanor. shall have a capacity of six (6) cubic centimeters of mercury at a temperature of sixty (60) degrees Fahrenheit between "zero" and thirty (30) on the graduated scale marked on the necks thereof, and it is hereby made a misdemeanor to use any other size of milk measure, pipette, test tube or bottle to determine the per cent of butter fat, where milk or cream is purchased by or furnished to creameries or cheese factories, and where the value of said milk or cream is determined by the per cent of butter fat contained in the same.

Punishment for violation. Any manufacturer, merchant, dealer or agent in this state who shall offer for sale, or sell, a cream or milk pipette or measure, test tube or bottle, which is not correctly marked or graduated as herein provided shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 34 of this act.

Babcock test. SEC. 13. It shall be unlawful for the owner, manager, agent or any employe of a creamery or cheese factory to manipulate or under read the Babcock test, or any other contrivance used for determining the quality or value of milk.

Adulterants not allowed. SEC. 14. No person, firm or corporation, shall manufacture for sale, advertise, offer or expose for sale, or sell, any mixture or compound intended for use as an adulterant of or preservative of milk, butter or cheese, nor shall any person, firm or corporation add to milk or butter or cheese, or during the process of their manufacture, any borax, boric acid, salicylic acid, formaldehyde, formalin, or any other substance or substances in the nature of adulterants, anti-ferments or preservatives. *Provided, however,* that this section shall not apply to pure salt added to butter and cheese.

Disposal in vehicles. SEC. 15. Whoever by himself or his agents conveys milk or cream in carriages, carts or other vehicles, or in any manner for the purpose of selling the same, either at wholesale or retail, in any city or town of one thousand (1,000) inhabitants or more shall annually on the first day of May, or within thirty (30) days thereafter, be licensed by the state dairy and food commissioner to sell milk and cream within the limits of said city or town, and shall pay to the said dairy and food commissioner the sum of one (1) dollar for each and every carriage, cart or other vehicle thus employed, to the use of said dairy and food commissioner. Licenses shall

License.

be used only in the names of the owners of carriages, carts or other vehicles, and shall for the purpose of this act be prima-facie evidence of ownership. All licenses shall terminate on the first day of May of each and every year. No license shall be sold, assigned or transferred. Each license shall record the name, residence, place of business, number of carriages, carts or other vehicles used (where more than one is employed), the name and residence of any driver or other person engaged in selling or delivering said milk or cream, the number of the carriage, cart or other vehicle, where he has more than one, and the number of license.

Cannot be sold or assigned.

Name of driver.

Each licensee shall, before engaging in the sale of milk or cream, cause his name, the number of his license, and the number of the carriage, cart or other vehicle (where he has more than one), and his place of business to be plainly and legibly placed on each outer side of all carriages, carts or other vehicles used by him in the conveyance or sale of milk or cream, and he shall report to the state dairy and food commissioner any change of driver, or person employed by him, which may occur during the term of his license. Any person keeping not more than one cow shall be exempted from the provisions of this section.

Name and number of license.

Keeper of one cow exempted.

SEC. 16. Every person, firm or corporation before selling milk or cream, or offering them, or either of them, for sale, or having them, or either of them, in his possession with intent to sell in a store, booth, stand, creamery, cheese factory, or who sells to customers in any manner or from any place in the respective towns or cities as designated in section 15 of this act, shall procure a license from the state dairy and food commissioner, or his authorized agents, and shall pay therefor the sum of one (1) dollar. Every such license shall terminate on the first day of May in each and every year. No license shall be sold or transferred.

Must procure license.

SEC. 17. The dairy and food commissioner shall have power to withhold a license from or to revoke the same when already issued to any person, firm or corporation, who shall fail to comply with any of the provisions of sections 15 and 16 of this act, or who shall sell, offer, or expose for sale any milk or cream from dairies containing diseased or filthy cows, or that are kept in violation of section 5 of this act, or of creameries, stores

Power of dairy commissioner.

or other places where milk or cream may be kept, stored or sold, which is kept in an unsanitary condition.

Milk diluted
with water.

SEC. 18. No person by himself or his agents or servants shall sell, supply or bring to be manufactured, to any butter or cheese manufactory any milk diluted with water or any other substance whatever, or any unclean, impure, unhealthy, adulterated or unwholesome milk, or milk from which any cream has been taken (except pure skim milk to skim cheese factories), or shall keep back any part of the milk commonly known as "strippings" or shall bring or supply milk which is sour, to any butter or cheese manufactory (except pure skim milk to skim cheese factories). No butter or cheese manufactories except those which buy all the milk they use shall use for their own benefit or allow any of their employes or any other person to use any of the milk or cream brought to said manufactories, or the product thereof, without the consent of the owners thereof. Every butter and cheese manufacturer, except those who buy all the milk they use, shall keep a correct record of all the milk daily received, and of the number of pounds and packages of butter, the number and aggregate weight of cheese made each day, the number of packages of cheese and butter disposed of, which record shall be open to inspection to every person who delivers milk to such manufacturer.

Keep a correct
record.

Legitimate
product of
milk or
cream.

SEC. 19. No person, by himself or his agents or servants, shall manufacture for sale, have in his possession with intent to sell, offer or expose for sale, or sell as butter or as cheese any substance not the exclusive and legitimate product of milk or cream. *Provided*, whenever any substance is sold as a substitute for butter or cheese not made exclusively from milk or cream, that the person, firm or corporation selling the same for themselves, or as agents for another person, firm or corporation, shall post conspicuously and keep conspicuously posted, as long as said substitutes are sold, offered or exposed for sale, in the room where the same can be seen and read from every part of the said room where the substitute for butter or cheese is sold, offered or exposed for sale, a printed sign giving the true and correct name in the English language of the substitute for butter or cheese so sold, offered or exposed for sale, in letters made with bold faced type, not less than six (6)

Substitutes
must be
labeled.

Bold faced
type.

inches long, giving the true name by which said substitute for butter or cheese is sold, offered or exposed for sale, which notice shall be substantially in the following form. (Insert name of such substitute) "Sold Here."

SEC. 20. No person by himself or his agents or servants shall manufacture for sale, have in his possession with intent to sell, expose or offer for sale, or sell as butter or as cheese, or as substitutes for butter or cheese, or as imitations of butter or cheese, under any name or title whatsoever, any mixture or compound, which is designed to take the place of butter or cheese, and which is made from animal or vegetable oils or fats, or by the mixing or compounding of the same, or any mixture or compound consisting in part of butter or of cheese in mixture or combination with animal or vegetable oils or fats, nor shall any person mix, compound with or add to milk, cream, butter or cheese any animal or vegetable oils or fats, with design or intent to make or produce any article or substance in imitation of butter or cheese, nor shall any person coat, powder or color with annatto or with any other coloring matter whatever, butterine or oleomargarine or any mixture or compound of the same, or any article or compound made wholly or in part from animal or vegetable oils or fats not produced from milk or cream, whereby the said article or compound shall be made to resemble butter or cheese, nor shall any person offer or expose for sale or sell any article, substance or compound made, manufactured or produced in violation of the provisions of this section, whether such article, substance or compound shall have been made, manufactured or produced within this state or in any other state or country; and the having in possession by any person, firm or corporation of any article, substance or compound made, manufactured or produced in violation of the provisions of this section shall be considered as prima facie evidence of an intent to sell the same as butter or as cheese contrary to the provisions of his section.

Prohibits sale
of adulterated
butter.

Possession
prima facie
evidence of
intent to sell.

SEC. 21. The Minnesota state dairy and food commissioner is hereby authorized and directed to procure and issue to the cheese manufacturers of the state, and under such regulations as to the custody and use thereof as he may prescribe, a uniform stencil brand bearing a suitable device or motto, and the words "Minnesota

"Minnesota
State Full
Cream
Cheese."

State Full Cream Cheese." Every brand issued shall be used upon the outside of the cheese, and also upon the package containing the same, and shall bear a different number for each separate manufactory, and the commissioner shall keep a book in which shall be registered the name, location and number of each manufactory using the said brand, and the name or names of the persons at each manufactory authorized to use the same. It shall be unlawful to use or permit such stencil brand to be used upon any other than full cream cheese or packages containing the same. All cheese branded as "Minnesota State Full Cream Cheese" shall contain not less than forty-five per centum of fats to total solids, and all cheese purporting to be full cream cheese which contains less than forty-five per centum of fats to total solids, shall be deemed for the purpose of this act, to be adulterated.

Proportion
of fats to
solids.

"Skim
Cheese."

SEC. 22. All cheese which contains less than forty-five per centum of fats to total solids is hereby declared to be "skim cheese," and it is hereby required and directed that the same shall be marked with a stencil or brand with the words "Skim Cheese," in plain black letters, not less than one and one-half inches in length and of proportionate width, upon the circumference of the cheese, and upon the outer surface of the box or package containing the same; and any dealer or trader who, by himself, or as the servant or agent of another person, has in his possession with intent to sell, offers or exposes for sale, or sells any skim cheese as hereinbefore defined, which is not stenciled or branded as hereinbefore required and directed, shall be deemed to be guilty of a misdemeanor, and shall be subject to the penalties provided in this act.

Must be
branded.

Must label
prominently.

Every dealer or trader who offers or exposes for sale or sells skim cheese as hereinbefore defined, shall cause to be kept continuously posted in a conspicuous position upon the walls of the room wherein such skim cheese is offered or exposed for sale or sold, cards upon the face of which is distinctly and legibly printed in the English language, and in letters of sufficient size to be visible from all parts of the room, the words "Skim Cheese Sold Here."

Bold faced
type.

SEC. 23. No person by himself or agent shall sell or offer or expose for sale, or have in his possession with

intent to sell cheese branded or labeled with a false brand or label as to the quality of the article, or as to the county or state in which the article is made.

SEC. 24. Every proprietor, keeper, landlord or steward of any hotel, restaurant, dining car, eating house, boarding house, hospital, lumber camp or railroad camp either public or private, who shall supply the guests or boarders of such hotel, restaurant, dining car, eating house, boarding house, hospital, lumber camp, or railroad camp, either public or private, where money, services, or wages form the whole or part of the payment for such food, with any oleaginous substance or substances or any compound of the same, or any other compound other than that produced from unadulterated milk or of cream from the same, or any article designed to take the place of butter, shall cause to be plainly printed upon every bill of fare used in said hotel, restaurant, eating house, boarding house, hospital, lumber camp or railroad camp, where such adulterated compound is used, immediately under the title thereof and before the naming of any article of food thereon, in capital letters, no smaller than those known as nonpareil Celtic, in the English language, the words "Oleomargarine (or butterine) used as a substitute for butter." In case no bill of fare is used in said hotel, restaurant, eating house, boarding house, hospital, lumber camp, or railroad camp, then the proprietor or keeper thereof shall cause to be posted upon each and every side of the dining room or eating room in a position where the same can be easily seen and read from any part of said room and in letters large enough to be distinctly seen and read from any part of said room, a card containing the words in English language "Oleomargarine (or butterine) used as a substitute for butter," and shall keep the same continuously posted as aforesaid, so long as said compounds, or either of them are kept and used. The provisions of this section shall not be construed as in any wise amending or invalidating any of the provisions of sections 19 or 20 of this act.

Landlords
and restaurant
owners.

Printed on
bill of fare.

Posted on
side of
room.

SEC. 25. The commissioner shall provide blanks which shall be furnished to all proprietors, managers, secretaries of creameries and cheese factories within the state for the purpose of making a report of the amount of milk and dairy goods handled, and embodying

Provide
blanks.

Must make report. such other statistical information as the commissioner may require, and all owners or managers or secretaries of said creameries and cheese factories shall, on the first day of November and at such other times as the said commissioner may call for the said report, send to the dairy and food commissioner a full and accurate report of the amount of business done during the year, including the statistical information required by said commissioner.

Duty of commissioner.

Seizure without warrant.

Issue search warrant.

Sheriffs or constables may search premises.

SEC. 26. It shall be the duty of said commissioner, assistant commissioner, inspectors and agents at any and all times to seize and take possession of any and all food and dairy products, or substitutes therefor, or imitations thereof, kept for sale or for a purpose, or held in possession or under control, contrary to the provisions of this act, or other laws which now exist, or may be hereafter enacted. Such seizure may be had without a warrant, and said commissioner, assistant commissioner, and all inspectors and agents appointed pursuant to law are hereby given full power and authority of constables. Any court having jurisdiction, upon receiving proof of probable cause for believing in the concealment of any food or dairy products or substitutes therefor, or imitations thereof, kept for sale or for a purpose, or had in possession or under control, contrary to the provisions of this act, or other laws which now exist or may be hereafter enacted, shall issue a search warrant and cause a search to be made in any place therefor, and to that end may cause any building, enclosure, wagon or car to be entered, and any apartment, chest, box, locker, tub, jar, crate, basket or package to be broken open and the contents thereof examined.

SEC. 27. All such warrants shall be directed to said commissioner, or assistant commissioner, or any inspector or agent appointed pursuant to law, or the sheriff or constables commanding such commissioner, assistant commissioners, inspector, agent or officer to search the house or place where such food or dairy products or substitute therefor or imitation thereof for which he is required to search is believed to be concealed, which place and the property to be searched for shall be designated in the warrant, and to bring such food or dairy product, or substitutes therefor, or imitations thereof, when found, and the person in whose possession the same is

found, before the magistrate who issued the warrant, or before some other court or magistrate having jurisdiction of the case.

Before a
magistrate.

SEC. 28. When the officer in the execution of any search warrant issued under this act finds and seizes any food or dairy product, or substitute therefor, or imitation thereof, all the property or things so seized shall be safely kept by the direction of the court or magistrate so long as it is necessary for the purpose of being produced in evidence in any trial, and on such trial, it being found that such food or dairy product, or any substitute therefor or imitation thereof, is being kept for sale or for a purpose, or held in possession or under control, contrary to the provisions of this act, or other laws which now exist or may be hereafter enacted, the court shall, in addition to the other penalties prescribed by this act, order that said property be forfeited to the State of Minnesota, and shall order the same sold for any purpose other than to be used for food, and the proceeds thereof paid into the state treasury and placed to the credit of the state dairy and food commissioner's fund. The dairy and food commissioner, his agent or inspector is authorized to take samples from products seized for the purpose of analysis.

Property to be
safely kept.

Property
forfeited.

Product for
analysis.

SEC. 29. No person shall efface, erase, cancel or remove any mark, statement or label provided for by this act with the intent to mislead, deceive or to violate any provisions of this act.

Shall not
efface marks.

SEC. 30. No action shall be maintained on account of any sale, or other contract made in violation of, or with intent to violate any provisions of this act.

Intent to
violate pro-
visions.

SEC. 31. The doing of anything prohibited, and the not doing of anything directed to be done by this act, shall be prima facie evidence of a willful intent to violate the different sections and provisions hereof.

Prima facie
evidence.

SEC. 32. In all prosecutions arising under this act the certificate of the chemist making the analysis, when duly sworn to by such analyst, shall be prima facie evidence of the fact or facts therein certified.

SEC. 33. All moneys received from license fees, all fines collected for the violation of laws relating to food or dairy products, their imitations or substitutes and the proceeds from all goods confiscated and sold under the provisions of this act and other laws relating to dairy

License fees,
all fines and
moneys re-
ceived to be
paid into
state treasury.

or food products, their imitations or substitutes, shall be paid into the state treasury and placed to the credit of the dairy and food commissioner's fund.

Misdemeanor,
penalty.

SEC. 34. Whoever violates any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished for each offense by a fine of not less than twenty-five dollars, nor more than one hundred dollars, or by imprisonment of not less than thirty days, nor more than ninety days.

Ch. 11, 1891,
repealed.

SEC. 35. Chapter 11, General Laws of 1891, and all acts and parts of acts inconsistent with the provisions hereof are hereby repealed.

SEC. 36. This act shall take effect and be in force from and after its passage.

Approved April 7, 1903.

S. F. No. 284.

CHAPTER 156.

Probate court.

An act to validate sales of real estate heretofore made under a license from probate court.

Be it enacted by the Legislature of the State of Minnesota:

Sales of
real estate
made under
license of pro-
bate court,
certain defects
legalized.

SECTION 1. That all sales of real estate heretofore made under a license from any probate court of this state to an executor or executors wherein the following defects and irregularities have occurred, viz: where the oath before sale was taken after the date of fixing the time and place of sale, and before the day of sale, and was filed after the sale, but before the confirmation thereof; where the executor's bond before sale was executed and approved before the sale and filed after the sale, but before the confirmation thereof; where the executor's bond contains no witnesses as to the sureties thereon; where the sale was made and the report of sale was sworn to by one other than the executors as attorney in fact for the executors under an unacknowledged power of attorney filed with the probate court before confirmation of such sale, and such sales were thereafter duly confirmed by an order of the probate court; and where all other proceedings therein were legal, all such sales and the confirmation thereof are hereby legalized and made as valid and effectual to all intents and purposes, and of the same force and effect as if such oath had

been duly taken before the date of fixing the time and place of sale, and said bond had been duly executed, witnessed, approved and filed before sale, and said sale had been duly made and the report of sale had been duly sworn to and filed by the executors personally.

Provided, however, that nothing herein contained shall affect pending litigation for the purpose of setting aside any such sale heretofore made.

Pending
litigation
not affected.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 8, 1903.

CHAPTER 157.

H. F. No. 528.

An act to further provide for the revision and codification of the General Laws.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The time allowed by chapter 241 of the laws of 1901, for the delivery to the secretary of state of the report of the commission appointed under said chapter to revise and codify the General Laws is hereby extended to December 1, 1904.

Statute revision.

Report of
commission,
time extended.

SEC. 2. Said commission shall include in the revision and codification then reported all general laws relating to taxation and all laws of a general nature enacted at the extra session of 1902 and at the present session. It shall also submit, with its report, a list of all special, local and temporary laws, the repeal of which it shall recommend, giving the chapter number and title of each.

What to
contain.

SEC. 3. The several commissioners shall receive compensation from and after September 1, 1902, each at a rate to be fixed from time to time by the justices of the supreme court, not exceeding the monthly payments made prior to that date; and said justices shall also determine the amounts to be allowed for clerical and other assistance, and for expenses, all of which payments shall be made by the state treasurer upon warrants of the state auditor issued as prescribed in section 3 of said chapter 241.

Compensation.

SEC. 4. The limitation imposed by section 2 of said chapter 241 upon the expenditure of the sum appropriated by said chapter is hereby abrogated, and all sums ap-

Limitation
upon ex-
penditures
abrogated.

Under direc-
tion of
justices of
the supreme
court.

Vacancy.

Appropriation.

propriated for the purposes of said revision and codification shall be expended under the direction of the justices of the supreme court. If a vacancy shall occur in the membership of said commission, the justices may fill the same by appointment.

SEC. 5. There is hereby appropriated out of any money in the state treasury not otherwise appropriated the additional sum of fifty thousand dollars, or so much thereof as may be necessary to properly accomplish the said revision.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 9, 1903.

H. F. No. 9.

CHAPTER 158.

R

Horse
thief bounty.

An act to amend section seven thousand eight hundred and sixty-nine (7869) of the General Statutes of Minnesota for 1894, as the same was amended by chapter one hundred and forty-four (144) of General Laws of Minnesota for 1897, and chapter two hundred and twelve (212) of General Laws of Minnesota for 1901, relating to bounties for the arrest and conviction of horse thieves.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section seven thousand eight hundred and sixty-nine (7869) of the General Statutes of Minnesota for 1894, as amended by chapter one hundred and forty-four (144) of the General Laws of the State of Minnesota for 1897, and chapter two hundred and twelve (212) of the General Laws of the State of Minnesota for 1901, be and the same hereby is amended so as to read as follows, to wit:

Reward paid
on presenta-
tion of cer-
tificate from
clerk of
court.

"Section 7869. That the sum of two hundred (\$200) dollars be paid to any person or persons for the arrest and conviction of each and every person who steals a horse or horses from any person or persons in this state, which amount shall be paid to the person or persons entitled thereto on the presentation of a certificate, issued as hereinafter provided, from the clerk of the court of the county where such conviction was had, setting forth the object for which the same was issued, to the treasurer of the proper county; and such county treasurer shall take

a receipt for the same, setting forth the object for which the same was paid; which certificate and receipt shall be forwarded to the state auditor, who shall, at the next settlement, place a warrant for such amount into the hands of the state treasurer, to be credited on the settlement with said county treasurer."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 159.

H. F. No. 768.

An act creating pension for disabled or retired policemen in cities situated in counties now having or which may at any time hereafter have a population of 150,000 and not over 225,000 inhabitants and providing for a fund out of which such pension shall be paid and for the establishment of a pension board for the management, control and distribution of such fund.

Cities of
150,000 to
225,000 inhab-
itants.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. In every city situated in counties now having or which may at any time hereafter have a population of 150,000 inhabitants or over, and not over 225,000 inhabitants, there may be created a police pension fund, which shall be governed and managed by a police pension board in accordance with the provisions of this act.

SEC. 2. That every paid municipal police department now existing or which may hereafter be organized may and are hereby authorized to become incorporated pursuant to the provisions of title 3, chapter 34 of the General Statutes of Minnesota, 1894, and acts amendatory thereto, or adopt a constitution and by-laws as a relief association to provide and permit and allow said police relief association so incorporated or so organized to pay out of, and from any funds it may have received from the state of Minnesota or from any other source, a service pension in such accounts and in such manner as its articles of incorporation or the constitution and by-laws shall designate, not exceeding however the sum of \$40 per month to each of its pensioned members who shall have arrived at the age of 55 years or more, and shall have

Incorporation
of police
department.

Service pen-
sion to dis-
abled and
aged mem-
bers.

done active police duty as a member of such paid municipal police department for a period of 20 years or more in the police department of such city in which such relief association shall be so organized or who having been disabled physically or mentally because of any injury received or suffered while in the performance of his duties as such police officer, so as to render necessary his retirement from active police service may be placed upon the pension list, and shall receive such pension as provided for in said articles of incorporation or constitution and by-laws; *provided, however*, that said fund shall not be used for any other purpose other than for the payment of service pensions and a disability pension as herein provided.

Not to exceed \$40 per month.

SEC. 3. Every such association shall at all times have and retain the right to increase or reduce the amount of such pension not to exceed \$40 per month whenever, because of the amount of funds on hand, or for other good reasons such increase or reduction may seem advisable or proper to the board of management of said relief association.

Restrictions.

SEC. 4. The pension authorized by this act shall not be paid to any person while drawing salary in any amount from said police department; and no member shall be entitled to said pension after he removes his residence from the city where such relief association is located or who shall have been convicted of a felony or misdemeanor for which he shall be adjudged to be imprisoned or who is a habitual drunkard; and that any person receiving the pension herein mentioned shall not receive or be entitled to receive any other or further pension or relief from said association.

Pension not subject to judgment, etc.

SEC. 5. No payments made or to be made by said board to said member of said police force shall be subject to judgment, garnishment or execution or other legal processes and no person entitled to such payment shall have the right to assign the same, nor shall said association have the authority to recognize or pay over any sum whatever which has been assigned.

Management of fund.

SEC. 6. Said association through its officers shall have full charge, management and control of the police pension fund herein provided for, which said fund shall be derived from the following sources:

Gifts, etc.

First—From the gifts of real estate or personal property, rents, or money or other sources; second, an amount

or sum equal to 1-10 of 1 mill shall be annually assessed, levied and collected by the proper officers of such city where a police relief association exists, upon each dollar of each taxable property in such city as the same appears on the tax records of such city, which said sum shall by the proper officers of said city be placed on the credit of the police pension funds, and shall not be used or devoted to any other purpose other than for the purpose of the police pension fund; *provided, however*, that if at any time the fund so raised by taxation as in this section provided, together with other resources exceeds the needs of said police pension board in the properly carrying out the provisions of this act; then as often as this shall occur, said sum so to be raised by taxation shall be proportionately reduced to such amount as will sufficiently carry out the provisions of this act, then there shall only be raised by taxation such part of aid 1-10 of 1 mill upon each dollar of all the taxable property in such city as shall be necessary for the proper maintenance of said fund as in this act provided.

Tax levy.

Levy may be reduced.

SEC. 7. The said governing board shall have full power to hold, transfer and sell real estate and personal property, and invest said funds for the betterment of said association.

Conveyance of property.

SEC. 8. The governing board of said association shall consist of five members to be elected annually, who shall hold their terms of office for one, two, three, four and five years, respectively, or until their successor is duly elected and qualified, and the mayor and chief of police shall be ex-officio members of said board. All vacancies occurring in the elective membership of said board shall be filled by a special election called for said purpose.

Members of governing board, terms, ex-officio.

Vacancy.

SEC. 9. The said governing board of said association shall file annually, on or before the first day of September of each year, with the comptroller of said municipality, a detailed report of the amount of money so received, expended and still remaining on hand to the credit of said association.

Report.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

H. F. No. 778.

Bridges
across Min-
nesota river.CHAPTER 160. *R**An act relating to bridges across the Minnesota river.*

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That any municipal or private corporation, person or parties, separately or jointly, their successors or assigns, may construct, maintain and operate a fixed span bridge or bridges, with approaches, if necessary, across the Minnesota river at any point on said river down to and including the City of Le Sueur in the County of Le Sueur and State of Minnesota.

Said bridge or bridges shall be used for general pedestrian, wagon and railway traffic, or for any or all such purposes, and its location and construction shall be subject to the approval of the governor as provided in section 1919 of the General Statutes of Minnesota for the year 1894.

SEC. 2. Any draw bridge now constructed across said river at and above the said city of Le Sueur and maintained by any municipal or other corporation may be converted into a fixed span bridge without a draw.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

H. F. No. 837.

Cities of
over 50,000.

CHAPTER 161.

An act entitled an act to authorize cities now or hereafter having a population of over fifty thousand inhabitants to grade streets constituting an approach to a public park, without any petition of property owners therefor.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in any city of this state now or hereafter having a population of over fifty thousand inhabitants, where any public park or parks now or hereafter exist, without any graded street leading therefrom to the main portion of such city, the common council of such city is hereby authorized and empowered by a three-fourths vote of all members-elect thereof, upon recommendation of the board of park commissioners, or such other officials as may have charge and supervision of

Authorized to
open and
grade streets
to parks,
without peti-
tion from
property
owners.

the parks and parkways of such city, to order and cause to be opened and graded for public travel the necessary street or streets to constitute one main thoroughfare leading from such park or parks to the main portion of such city, without a petition therefor signed or presented by the owners of any property fronting or abutting upon the line of such improvement, and may cause the whole or any part of the necessary cost and expense of opening and grading any such street or streets to be levied and assessed upon and against the property benefited by such improvement, in the same manner and with like effect as other assessments for street grading are made by such city.

Tax levied
against prop-
erty benefited.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 162.

H. F. No. 380.

An act legalizing certain floating indebtedness of villages and authorizing the issue of bonds with which to fund the same.

Villages au-
thorized to
issue bonds
to fund
floating in-
debtedness,
in certain
cases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any and all orders heretofore issued by any village in this state for the following purposes, or either thereof, to wit, in payment of the cost, in whole or in part, of village water works or electric light plant, or both combined, or the enlargement, improvement and repair thereof; in payment of the cost, in whole or in part, of the erection and construction of any building to be used for the purpose of a village hall, village officers (offices), or hall to be used by the public for exhibitions, lectures and other public entertainments and purposes, which said orders are still outstanding and unpaid, are hereby declared to be lawful floating indebtedness of said village, as of the date of their issue, *provided only*, that the council of any such village and the voters thereof shall have heretofore recognized said orders by voting to issue bonds with which to take them up, whether the issuing of bonds for such purpose was or was not then authorized by any law of this state.

SEC. 2. The village council of any village in this state

Bond issue
having here-
tofore been
voted.

is hereby expressly empowered to issue the bonds of its village in such amount and denomination and bearing such rate of interest as the voters of any such village may have heretofore authorized by the votes of a majority of all such voters present and voting at any general or special election, upon a proposition as to whether or not the bonds of such village should be issued for the purpose of taking up and paying outstanding village orders of the character described in section one of this act, whether any such issuance of bonds was or was not authorized at the time such vote was had. Such bonds may be issued and sold by any such village council in such manner as it shall deem proper, but for not less than their par value, and such bonds shall run for such term of years, not to exceed fifteen, and shall be payable at such place as may be by said village council determined. The proceeds from the sale of any such bonds shall be paid over to the village treasurer to be used by him in taking up the specific indebtedness referred to in the action of the village council and in the proposition submitted by it to the voters of any such village and adopted by them as aforesaid.

Proceeds
of sale.

Limitations
of indebted-
ness not
affected.

SEC. 3. The right to issue bonds under this act shall not be affected by the amount of the indebtedness of any such village outstanding at the time of issuing bonds hereunder.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

H. F. No. 708.

CHAPTER 163.

R

Pure food
and drink.

An act to define articles of food and drink for human use, to prevent misbranding or adulterations of the same, to prevent fraud and preserve public health.

Be it enacted by the Legislature of the State of Minnesota :

Food defined.

SECTION 1. The term "food" shall include all articles used by man for food, drink or condiment whether mixed, single or compound. The term "misbranded" as used herein applies to all articles of food or articles used in the composition of food, drink or condiments, the packages or labels of which shall bear any statement purport-

Misbranded.

ing to name any ingredients or substance contained in such article which statement shall be false in any particular; or any statement purporting to name the substance of which said article is made, which statement shall not fully give the names of all the substances contained in the article in any quantity, or which names as a single article of food any mixture or compound. The term "drink" as used herein shall not include liquids containing two (2) per cent or more of alcohol.

Drink defined.

SEC. 2. An article shall be deemed adulterated in the case of food drink or condiment:

First, if any substance or substances has or have been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength, so that such product, when offered for sale, shall deceive or tend to deceive the purchaser, or

Adulterated.

Second, if any substance or substances has or have been substituted wholly or in part for the article, so that the product, when sold, or offered for sale shall deceive or tend to deceive the purchaser, or

Third, if any valuable constituent of the article has been wholly or in part abstracted, so that the product when sold or offered for sale shall deceive or tend to deceive the purchaser, or

Fourth, if it contain any added poisonous ingredient or an ingredient which may render such article injurious to the health of the person consuming it, or

Fifth, if it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter, or,

Sixth, if it be mixed, colored, powdered, or stained in a manner whereby damage or inferiority is concealed so that such product, when sold or offered for sale, shall deceive or tend to deceive the purchaser.

SEC. 3. Any person adulterating or misbranding any article of food, drink or condiment as defined in section two (2) or who shall handle, keep for sale, offer or expose for sale any article so adulterated or misbranded shall be guilty of a misdemeanor and on conviction be fined not less than twenty-five (25) dollars, or more than seventy-five (75) dollars and costs or by imprisonment not to exceed ninety (90) days.

Misdemeanor,
penalty.

Duty of dairy
and food
commissioner.

SEC. 4. It shall be the duty of the state dairy and food commissioner and his assistants, experts and chemists and agents by him appointed, to enforce the provisions of this act.

SEC. 5. This act shall take effect and be in force from and after July 1st, 1903.

Approved April 10, 1903.

H. F. No. 332.

CHAPTER 164.

An act to ratify certain conveyances and confirm the title in the State of Minnesota to lands thereby conveyed.

Be it enacted by the Legislature of the State of Minnesota :

Confirms
title to
state, of
certain lands.

SECTION 1. That all conveyances heretofore made by any person or persons transferring land situated in the State of Minnesota, to the governor and legislative assembly of the Territory of Minnesota, in trust for said territory, are hereby confirmed, and the title to such premises so conveyed declared to be vested in the State of Minnesota.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

H. F. No. 333.

CHAPTER 165.

Cities of
20,000 to
50,000 inhab-
itants.

An act to create in cities of the State of Minnesota which now have or hereafter may have no more than fifty thousand (50,000) and not less than twenty thousand (20,000) inhabitants a board of municipal works, to define its duties and powers and to regulate the management of certain municipal works of such cities.

Be it enacted by the Legislature of the State of Minnesota :

Board of
municipal
works, to
control water,
light and
sewerage
pumping
plants.

SECTION 1. That in each city in the State of Minnesota which now has, or hereafter may have, no more than fifty thousand (50,000), and not less than twenty thousand (20,000) inhabitants, there be and hereby is created and established a board of municipal works, which shall have the control and management of all such water works systems, lighting plants, and sewerage pumping plants of

each such city as may be owned and operated by such city, with the powers and duties hereinafter designated.

SEC. 2. That all authority under this act, in each such city, shall be exercised by a board of six (6) commissioners to be known and designated as the "Board of Municipal Works," who shall be appointed by the mayor of such city, and whose terms of office shall be as hereinafter designated.

Members,
term of
office.

SEC. 3. It is hereby made the duty of the mayor in each such city in this state, in which a water works plant, a lighting plant and a sewerage pumping plant, or any one or more of them, is being owned and operated by such city on the last Monday in April, A. D. 1903, to appoint on such last Monday in April, A. D. 1903, six (6) persons, residents of such city, commissioners, one of whom shall be appointed to serve for a term of one (1) year, one for a term of two (2) years, one for a term of three (3) years, one for a term of four (4) years, one for a term of five (5) years, and one for a term of six (6) years. These six persons, so appointed, shall constitute the first board of municipal works for the city in which so appointed. The said terms of office shall commence on the first Monday in May, A. D. 1903, and said commissioners shall on said day enter upon the performance of their duties and assume the control and management of the water works system, lighting plant and sewerage pumping plants of the city in which they have been so appointed, or such of said works as shall then be owned and operated by said city.

The mayor of each such city shall annually thereafter, on the last Monday in April, appoint one person, resident of such city, as a member of said board and as the successor of the commissioner whose term of office expires in that year, to serve for a term of six years from the first Monday in May of the year in which appointed and until his successor is appointed and qualifies. *Provided*, that all appointments made under the provisions of this act, including the filling of vacancies, shall be so made that no more than three (3) persons of those comprising said board, shall at any time belong to the same political party, and *provided further*, that a change in the political belief of any of the members after appointment, shall not disqualify any member for membership or for reappointment.

No more
than three
to be of
same
political
party.

That in each city of this state which now has no more

than 50,000 and not less than 20,000 inhabitants, and in which none of the municipal works designated shall be owned and operated by such city on the last Monday in April, 1903, but in which any one or more of the said municipal works shall thereafter be installed and established by such city, to be operated and controlled by such city, and in each city of this state which hereafter may have no more than 50,000 and not less than 20,000 inhabitants in which thereafter any one or more of the municipal works may be so installed and established by such city, and no such board having been theretofore appointed in or for any such city, it shall be the duty of the mayor of each such city, not more than thirty (30) days and not less than ten (10) days prior to the time that it is contemplated by such city to commence the operation of any such works, to appoint the board hereinbefore designated, whose terms of office shall commence immediately upon such appointment, one of whom shall be appointed to serve until the first Monday in May following, one until one year after the following first Monday in May, one until two (2) years after the following first Monday in May, one until three (3) years after the following first Monday in May, one until four (4) years after the following first Monday in May, and one until five (5) years after the following first Monday in May, and their successors shall thereafter be appointed at the times and in the manner hereinbefore designated for the appointment of successors.

Each such board shall assume the control and management of such works immediately after the same shall be installed or established by such city and be ready for operation.

Official
census.

That whenever it shall hereafter be shown by any official census (whether national, state or city) that any city in this state contains the number of inhabitants hereinbefore designated, and not theretofore shown, and there shall at that time be owned and operated by such city one or more of such municipal works, it shall be the duty of the mayor of such city, on the last Monday in April following the official notice of such census, to appoint the board hereinbefore designated, whose term of office shall commence on the first Monday of May following, and who shall be appointed to serve for the lengths of time first specified in this section, and their successors

shall thereafter be appointed at the times and in the manner hereinbefore designated for the appointment of successors.

That whenever there shall hereafter be constructed, purchased or installed any one of the municipal works hereinbefore designated, by any such city in which such board of municipal works have been theretofore appointed and established, or extensions or additions made to any such works therein previously established, or machinery installed to be operated in conjunction therewith, such board shall thereupon assume the control, operation and management of such works, extensions or machinery, in addition to all works then under its control, immediately after the same shall be completed by such city and ready for operation.

All vacancies, by resignations or otherwise, shall be filled by the board, but every such appointment shall require an affirmative vote of a majority of all the members of the board.

Vacancies
how filled.

The mayor may remove any of the commissioners for misconduct, incompetency or neglect of duty after opportunity shall be given him to be heard on written charges. Each member of said board shall before entering upon the discharge of his official duties take and subscribe the usual oath of office and deposit the same with the city recorder of such city, together with a written acceptance of his said appointment. All appointments herein provided for shall be made by the mayor in writing and filed by him with the city recorder of such city; and when made by the board, the secretary of said board shall certify the necessary facts to such recorder, showing the cause of such vacancy and how filled.

Removal.

Appoint-
ments.

The said board shall elect annually one of their number to be president of the board, and may make by-laws and regulations for their government not inconsistent herewith. A majority of said board shall constitute a quorum, and all contracts and engagements, acts and doings of said board, within the scope of their duty and authority, shall be obligatory and binding upon such city.

President
of board,
rules and
regulations,
quorum,
contracts.

The members of said board shall receive no compensation for their services, but shall be allowed their reasonable official expenses, except that traveling expenses outside such city shall not be allowed any such members unless authority to make such trip be previously granted by

Compensation
limited to
expenses.

such board and approved in writing by the mayor of such city.

Secretary
and general
superin-
tendent.

The said board shall elect some suitable person as secretary, not a member of said board, who shall, as such secretary, be the general superintendent of the several municipal works under its control in such city.

The said board shall have power by an affirmative vote of a majority of all its members to remove him for cause, after opportunity shall be given him to be heard upon written charges.

City
electrician
ex-officio
superintendent
of fire
alarm.

Said board shall appoint some suitable person to have the care and superintendence of all poles and wires owned by such city, and who shall be styled "city electrician," with such powers and duties as may be prescribed by said board. Such city electrician shall be ex-officio superintendent of the fire alarm system of such city.

Said board may appoint and employ all proper clerks, assistants and employes necessary or convenient for the operation and management of the several municipal works or departments in such city, and for accomplishing the purposes contemplated by this act.

Salaries
fixed by
board.

The salary and compensation of all persons appointed and employed by said board in any of the departments under its control shall be such as may be fixed by said board, by an affirmative vote of a majority of all its members.

Board to
establish
rules.

It shall be the duty of each such board within six months after its appointment and organization to make and establish general rules providing for the manner and method of appointing, employing and removing all persons in connection with the operation and management of the several municipal works under the care of such board and to define their duties and powers. Such rules shall, when practicable, provide that all appointments and employments, other than ordinary labor and transient assistants and employments, shall be made in accordance with the civil service or "merit system," and all such rules when so established shall be changed only by an affirmative vote of five-sixths of all the members of said board.

Merit
system.

City
treasurer
also
treasurer
of board.
City
engineer
ex-officio.

The treasurer of such city is hereby declared to be ex-officio treasurer of said board. The city engineer of such city, except when otherwise designated by said board for special purposes, shall be the engineer of said board.

The city attorney of such city, except when otherwise

specially designated by said board, shall be the legal adviser of said board.

SEC. 5. It is made the duty of the secretary, under the direction of said board, to collect and receive and to pay into the city treasury all moneys due such board on account of the operation of said works, and to keep a set of books which shall at all times contain a full and complete statement of the condition and operation of each such municipal works or department, and of all matters in connection therewith, and a detailed and exact account of all moneys received and paid out by order of said board, in each such department, and all debts due and owing said board for any cause whatever, together with an accurate account of all the expenses of and liabilities incurred by said board in each such department.

Collection
of moneys.

It is made the duty of the treasurer of said board to receive all moneys which may be paid into the city treasury on account of said board from any sources whatever, and place the same in a separate fund therefor to be designated "municipal works fund," which fund is hereby created for each such city, and all moneys so received shall be retained by said treasurer and paid out only upon the order of said board, signed by the president and countersigned by the secretary thereof, and he shall keep a detailed and exact account thereof, in such manner as to show at all times the exact financial condition of said board.

Municipal
works
fund.

The books of said board shall at all times be open to the examination of any taxpayer of such city, or to any member or committee of the city council; said board shall on the first Monday in April in each year make a full report in detail to the city council of the condition and operation of the works under their charge, and of each department, and of all receipts and expenditures, for the year then ending, on account of the same; and shall also, whenever desired by said council, transmit to said council concise statement of the financial condition of any such department.

Report.

SEC. 6. Said board may sue and be sued, plead and be impleaded, answer and be answered unto, appear and prosecute unto final judgment in any court or elsewhere in the name of said board, have a common seal and alter the same at pleasure. They may prosecute any action in the name of said board against any person or persons

Board
may sue
and be
sued.
Seal.

for money due for the use of water or from any other cause; for the breach of any contract, express or implied, touching the execution or management of any of said works or departments, or of any promise or contract made to or for them; and also for the injury or trespass or nuisance done or caused or procured to be done to the water courses, pipes, machinery or any other apparatus belonging to or connected with any part of any of said works, or for any improper use or waste of the water.

Right
to use
grounds,
highways,
streets, etc.

SEC. 7. The said board, in behalf of said city, and all persons acting under their authority, shall have the right to use the grounds or soil under any road, railroad, highway, street, lane, alley or public ground for the purpose of constructing, extending, enlarging, improving or repairing the works contemplated by this act, on condition that they shall, when not otherwise provided by any ordinance of said city, and when not the duty of some private person, company or corporation, cause the surface of such road, railroad, highway, street, lane, alley or public ground, to be restored to its original state, and all damages done thereto to be repaired.

Accurate
records of.

SEC. 8. Each such board shall keep and maintain an accurate and detailed record of the following annual accounts:

Current
expenses.

First—The current expense of operating and maintaining each of the water works, lighting and sewerage departments, or such of them as may be under their control.

Interest
on bonds.

Second—Interest on all outstanding water and light bonds.

Extensions
and improve-
ments, etc.

Third—Extensions and improvements.

Fourth—Such other accounts, and such subdivisions of the foregoing named accounts as may be deemed desirable for the purpose of accurately showing the true financial conditions of each of said departments and all property belonging to the same.

Estimates
of probable
receipts to
be presented
to board
by secretary.

On or before the second Monday in August of each year the secretary of said board shall present to the said board of municipal works of such city, in writing, an estimate of the probable receipts during the next ensuing fiscal year for each such department, from each and all sources other than municipal, such fiscal year to commence on the first day of April; together with an estimate of the several amounts required during the next

ensuing fiscal year for the operation and proper maintenance of each of the departments under their control, and shall also make a special estimate of amounts required for the water works department of such city during the next ensuing fiscal year for each of the following purposes, to-wit:

First—For the current expenses of operating and maintaining said water works department. Current expenses.

Second—For interest on all outstanding water works bonds. Interest on bonds.

Third—For water works extensions and improvements. Extensions, etc.

Fourth—For the payment of outstanding water works bonds maturing during the next ensuing fiscal year, in the aggregate amount of not exceeding fifteen thousand (15,000) dollars. Maturing bonds.

The estimate for extensions and improvements in such water works department shall not, however, exceed ten (10) per cent of the said estimated probable receipts from all sources other than municipal, unless approved by an affirmative vote of a majority of all the members of the city council. Estimates for extensions and improvements not to exceed.

If said estimate of the probable receipts shall be less than the total of the amounts required for all of the purposes designated, said secretary shall thereupon prepare a detailed statement of all water which will probably be used and consumed for municipal purposes during the next ensuing fiscal year, excepting therefrom only public fountains, public drinking places, and public watering troughs, and shall equitably apportion the amount so required in addition to the estimated amount of receipts from other sources, to the said several municipal purposes for which said water is so used, on the basis of the water rates prescribed and established by said board for like purposes, but shall not exceed such rates, and shall make an assessment of the several amounts so appropriated on the general fund of said city and on the funds of the several municipal departments so using said water. If less than required.

Upon the completion of such estimate for all departments under the control of said board, said secretary shall present the same to said board, for the consideration and approval of said board. Approval.

Said board shall upon receipt thereof proceed to consider the same and shall make such corrections or changes as may be deemed necessary to perfect and equalize the

same, and shall approve and establish the same on or before the last Monday in August following.

After such several estimates and the assessments for water works purposes upon the several municipal departments have been fully approved and established by said board, a duplicate of the same, duly certified to by the president and secretary of said board, under the seal of said board, shall be transmitted to and filed with the recorder of said city on or before the said last Monday in August, and at the same time a like copy shall be transmitted to and filed with each municipal department or board of said city against which an assessment for the use of water has been so made.

The city recorder shall thereupon include the amounts so established by said board and the amounts so assessed against the general fund of such city, in his estimate to the city council of the several sums which will be required to meet the expenses of such city during the next ensuing fiscal year; and said council shall establish the same in its tax levy for such year; and each board, or governing body, of the municipal department so assessed shall likewise include the amount so assessed against it in its estimate of the several sums required during the next ensuing fiscal year, and such amounts shall in each instance be included in the respective tax levies for such year.

All amounts so assessed by said board and so included in the said tax levies, shall be paid to the treasurer of said board by each of said municipal departments respectively, in two equal installments, on the first day of July and on the first day of December of the year in which said taxes are collected.

If said estimate of the probable receipts shall be equal to or shall exceed the total of the amounts required for the next ensuing fiscal year, then no assessment shall be made for the use of water upon the several municipal departments as hereinbefore provided, and any and all surplus in the treasury of said department at the end of any fiscal year, and which said board shall by resolution determine not to be required for the next ensuing fiscal year, shall be ordered paid into the general fund of said city by said board.

SEC. 9. It shall be the duty of the city council of each such city, immediately after the organization of such board, to direct the treasurer of such city to transfer

Duplicate
approval
filed with
city re-
corder.

Also with
departments
assessed.

Tax levy.

Assessments
against
departments
paid to
treasurer
of board,
1st day of
July and
December.

When
estimate
of receipts
shall equal
or exceed
necessary
amount, no
assessment
to be
made
against de-
partments.

from the general fund to the municipal works fund, to be thereafter maintained by him and controlled by said board, all moneys theretofore levied for the departments under the control of said board, as the same may be received by such treasurer from the county auditor of such county, and all moneys in the city treasury of such city applicable to the needs of said departments, prior to the time that the first of the tax levies, hereinbefore designated to be made by and for said board, shall be collected, received and applied by said treasurer, for said board; and the city council of each such city shall also, hereafter, when not provided for in the board's estimate, cause to be transferred to the municipal works fund from the proper fund of such city the necessary means for maintaining and operating such works, or additions and extensions thereto as may have been installed by such city and of which such board has assumed control, until the beginning of the fiscal year following the first tax levy which includes the board's estimate for the same.

Transfer from general fund to municipal works fund.

SEC. 10. No money shall be paid out of the funds in the city treasury belonging to said board, except for principal or interest of water and light bonds, or either, unless such payment shall be specially authorized by an affirmative vote of a majority of all the members of such board, taken by a call of the ayes and noes, and then only upon order drawn by the secretary of such board, signed by the president and countersigned by the secretary, specifying the purpose and department for which, and the account upon which it is drawn, and made payable to the order of the person, firm or corporation in whose favor it is issued; *provided*, that orders in the form above prescribed may be issued at the proper time, without specific action by the board in each instance, for the payment of salaries or wages previously fixed and determined by the board, and made payable at certain definite times and in certain definite installments.

Funds to be used only for payment of principal or interest of water and light bonds unless specially authorized.

Exception.

SEC. 11. In all appropriations, and in all purchases and liabilities incurred, said board shall not exceed any fiscal year the amount of the estimate made therefor, as hereinbefore provided, and, except when otherwise authorized by law, no loans shall be made by said board at any time for any purpose, except when extraordinary expenditure shall be rendered unavoidable by

Appropriations, purchases and liabilities not to exceed estimate.

Loans may be authorized.

fire or other unforeseen calamity, and such expenditure be approved by a majority vote of the city council of such city.

Statements
of payments
on principal
or interest
transmitted
to secretary
of board.

SEC. 12. Whenever the city treasurer shall pay any principal or interest on any water or light bond he shall immediately transmit to the secretary of said board a statement of such payment, together with the bond or coupon so redeemed, and proper entry thereof shall be made by the secretary in the books kept for that purpose.

Board to
control dis-
tribution
and use of
water.

SEC. 13. Each such board shall, if a water works system be under its control, regulate the distribution and use of the water in all places and for all purposes where the same may be required for either public or private use, and fix the price and rates therefor, and from time to time cause to be assessed the water rate to be paid by the owner or occupant of each house or other building having or using water, upon such basis as they shall deem equitable, and such water rate shall become a continuing paramount lien, until paid, upon each house or other building, and upon the lot or lots upon which such house or other building is situate, and they shall erect such new number of public hydrants and in such places as shall be ordered from time to time by the city council of such city. Said board is hereby authorized and required to restrain and prevent any and all wastage of water, whether occurring under private or public use, and to that end may, when in its judgment necessary, turn off the water or take such other action as in its judgment may be proper.

Assess
water
rates.

Lien.

New public
hydrants.

Wastage
of water.

May require
payment in
advance.

May shut
off water.

Extension
of water
works.

SEC. 14. That each such board shall have the power and authority to require payment in advance for the use of water furnished by them in or upon any building, place or premises, and in case prompt payment for the same shall not be made, they may shut off the water from such building, place or premises, and shall not be compelled again to supply said building, place or premises with water until said arrears, with interest thereon, together with the cost and expense of turning said water off and on, as fixed by ordinance, shall be fully paid.

SEC. 15. That each such board may from time to time, for the purpose of furnishing a full supply of water to the inhabitants of such city for any and all purposes, extend the water works system under its control in such

manner as said board may deem best, subject to all conditions herein contained.

That the said board of municipal works of each such city shall establish such reasonable water rates as will at all times insure to such city at least a sufficient income to pay all the expenses and costs of operation, maintenance and repair of said system and works, and the interest on outstanding bonds.

Income to be sufficient to meet expenses and outstanding bonds.

SEC. 16. It is hereby declared to be a misdemeanor, punishable by a fine not exceeding five hundred (500) dollars, or by imprisonment in the county jail not exceeding one year, or both, at the discretion of the court, for said board, or any of its officers, to knowingly omit the property of any person from assessment for water rates, or neglect or refuse to collect the same, or to give any person other or different credit for the use of water than that given the whole public, or those belonging to the same class.

Omission of any property from assessment, or neglect to collect dues a misdemeanor.

SEC. 17. Each such board shall, if a municipal lighting plant be in operation in such city, regulate the distribution of lamps on the streets and public grounds of said city in such manner as to properly light such streets and public grounds, and shall determine the number and location of such lamps and provide for the proper operation, care and maintenance of the same, and of all poles, wires, fixtures and appliances pertaining to the same, and shall have the full control and management of such lighting plant, but no extensions for street lighting shall be made to the same nor additional lamps placed except upon an affirmative vote of a majority of all the members of such board.

Regulate the distribution of lamps.

SEC. 18. That each such board is hereby invested with full power to make and enforce such by-laws, regulations and ordinances applicable to any or all of the works under their control as may be deemed necessary to carry into effect the objects and intent of this act, and not inconsistent herewith, and to supply and define any power or mode not already specially designated herein, but contemplated by this act; said board may prescribe, as penalty for the violation of any ordinance or part thereof, the imposition upon the offender of a fine not exceeding one hundred (100) dollars, or imprisonment for a term not exceeding ninety (90) days; said board shall cause all such by-laws, regulations and ordinances

By-laws, regulations and ordinances.

Violation of ordinance.

Publication.

to be entered in a book to be kept for that purpose, and signed by the president and secretary, which, when so entered and signed, shall be evidence in any court of this state. All such regulations and ordinances shall be published at least once in the official newspaper of such city.

Contracts
in writing.

SEC. 19. Every contract for material or for the construction of any part of any of said works under the control of said board, which shall involve the expenditure of a sum of two hundred (200) dollars or more, shall be in writing and shall remain on file with the secretary of said board. All work shall be let to the lowest responsible bidder therefor, except incidental repairs or minor improvements, after notice soliciting proposals for the doing of such work shall have been published in the official newspaper of such city, in at least two separate issues of the same; *provided*, said board shall have the right to reject any and all bids, and such rights shall be reserved in each advertisement soliciting bids; and *provided further*, that in the event of any extraordinary or sudden injury to any of (the) said works or any part of such system whereby damage or loss might ensue by reason of any delay, or in the event of the lowest bid submitted being no less than ten (10) per cent greater than the engineer's estimate therefor, the said board may cause the damage to be repaired or the proposed improvement to be made without contract and in such manner as the board may deem for the best interests of the city; and *provided, further*, that in all work of laying water pipe, said board may require all joints to be made by persons in the employ of said board.

Bids.

Rejection
of bids.

Extraordi-
nary condi-
tion.

SEC. 20. Any person who shall without authority from said board lay any main or service pipe or take water therefrom, or open or shut any service cock or fire hydrant, or remove or unscrew, wholly or partially, the cap from such fire hydrant, or enter or form any connection with or turn water into any tunnel excavated or used by said board for the purpose of laying its pipe, or who, being authorized by said board to take water from any main or service pipe into any specified building or upon any specified premises, or to be used for any specified purpose, shall, without authority from said board, use such water for any other than such specified purpose or permit any other person to use the same for any

Misdemeanor
defined.

other than such specified purpose, or to take the same out of such building; and also such other person so using or taking such water, or who, without lawful authority, shall dig or excavate within six (6) feet of any main, pipe, gate, hydrant or blow-off of said works, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one hundred (100) dollars, and not less than twenty-five (25) dollars, or by imprisonment in the county jail for a term of not more than three (3) months, nor less than twenty (20) days, or both such fine and imprisonment. Penalty.

SEC. 21. If any person or persons shall maliciously or wilfully divert the water or any portion thereof, from any such water works, or shall corrupt or render the same impure, or shall destroy or injure any canal, aqueduct, pipe, conduit, machinery or other property used or required for procuring or distributing such water in any such city, or shall destroy or injure any of the machinery, fixtures or appliances used or required for operating the lighting plant or the sewerage pumping plant in such city, or do any act which shall cripple the operation of any such plant, or reduce its efficiency, such person or persons, and their aiders and abettors, shall forfeit to the said board of such city, to be recovered in a civil action, treble the amount of damages (besides cost of suit), which shall appear on the trial therefor to have been sustained; and all such acts are hereby declared to be misdemeanors, and the parties found guilty thereof may be further punished by a fine not exceeding one thousand (1,000) dollars, or by imprisonment not exceeding one (1) year, or both, at the discretion of the court. Misdemeanors.

SEC. 22. The board of municipal works herein provided for, shall have no powers over, or duties of any kind in connection with, any of the municipal works herein designated until the same shall have been fully completed and installed and shall be in use and operation ready to be put into use and operation, but such board shall be vested with and shall have the full power and authority after any such works shall have been constructed, installed and come under the control of such board to determine upon, make, construct and install any and all extensions thereto, except as in this act otherwise Recovery of damages in treble amount.

May be fined and imprisoned.

Board no control until works completed.

In case of
lighting
plants.

expressly provided; *provided*, that in case of lighting plants this act shall not repeal, amend or modify an act of the legislature of this state, entitled "An act to authorize and empower cities in this state having a population of not less than ten thousand (10,000) and not more than fifty thousand (50,000), to construct, erect or purchase electric light plants in such cities, and to authorize and empower such cities to issue their bonds for such purposes," approved April 10th, 1901, except in so far as this act vests such board with power and authority to control, operate and manage such plants after the same shall have been constructed, erected or purchased by the city, as in said act provided, and to make additions and extensions thereto for the uses and purposes for which such plants shall have been so installed by such city, and for which such plants are intended and directed by the council of such city to be used, but the power and authority to determine upon and make, construct and install additions and extensions to any such lighting plant for new and additional uses, not theretofore directed, shall be and remain as in said act provided, but when such additions and extensions for such new and additional uses shall have been determined upon, constructed and installed ready for use and operation, the control, operation and management thereof shall be immediately assumed by such board, and,

Control of
sewer
system.

Provided, further, that this act shall not vest said board with any power or control over the sewer pipes of any such city, nor to abridge in any manner the powers of the city council of such city with reference to the laying or extension of sewer pipes or constructing a sewer system or part of same in any such city, or to deprive such council of the supervision or control of such sewer pipes after construction, but such board shall have the full control and management of the pumping plant only of such system or systems of sewerage and of all machinery, appliances and flush tanks employed in the operation of such system or systems after the same have been erected, constructed and installed by such city.

SEC. 23. All acts or parts of acts, whether general or special, inconsistent with the provisions of this act, are hereby repealed.

SEC. 24. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 166.

R

H. F. No. 78.

An act to amend section one (1) of chapter 199 of the General Laws of the State of Minnesota for the year 1897, relating to county and town roads.

County
and town
roads.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one (1) of chapter one hundred ninety-nine (199) of the General Laws of the State of Minnesota for the year eighteen hundred ninety-seven (1897) be amended to read as follows:

Petition to
county com-
missioners.

SECTION 1. If twenty-four freeholders of any county containing one hundred or more legal voters, or twelve freeholders of any county containing less than one hundred legal voters, petition the board of county commissioners of such county for the location, establishment, change or vacation of any highway or cartway running into more than one town, or on the line between two towns of said county, or along the shore of any lake situated wholly or partly within said county, or into a town and the unplatted portion of any village of said county, such highway or cartway not being within the limits of any incorporated city, whether such highway or cartway is connected or to be connected with any other roads or not, setting forth in such petition the beginning, course and termination of the highway or cartway proposed to be located, established, changed or vacated, together with the names of the owners of the land, if known, through which the same may pass, the auditor of such county shall lay such petition before the board of county commissioners at the next session thereafter; *provided, however*, that any petition presented to any board of county commissioners under the provisions of this act, which petitions for a road which when laid out will be situated partly in a town and partly in the unplatted portion of a village before it can be acted upon by the board of county commissioners shall have attached thereto a copy of a resolution passed by the village council, trustees or similar officers of the village into the unplatted portion of

Approval
of village
council.

which said proposed road or cartway is to be laid out, changed, or vacated, approving the location, change or vacation of the road as petitioned for in so far as it shall extend within such village limits; such copy of said resolution to be duly certified by the village clerk, recorder or similar officer of such village that it is a true and correct copy of the resolution and of the whole thereof as passed by such village council, trustees or similar officers of the village, together with the date of the passage of such resolution.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

H. F. No. 655.

CHAPTER 167.

City of
Little Falls.

An act to approve, correct and legalize a copy of a certain plat of the City of Little Falls, Minnesota.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That WHEREAS the original plat of the survey of the original townsite of the village, now City of Little Falls, has been lost and destroyed;

Original
plat lost.

And, WHEREAS, there exists and is recorded, in the office of the register of deeds, in and for the said Morrison county, Minnesota, on page 17 of Plat Book, of said county, a true copy of said original plat, and there is recorded also in the office of the register of deeds in Book A, of Plats, on page 32, the legal and necessary certifications to said plat;

Copy.

Error in
copy.

And WHEREAS, by error and mistake, the numbers of the lots in the blocks, as shown by said plat and certifications, has been inadvertently left off of and from said copy of said plat;

And, WHEREAS, in said original plat above referred to, the lots in the blocks thereof were numbered in consecutive order, beginning at the northwest corner of each and every block thereof, with lot one, and numbered consecutively southward to the end of said block, and thence north to the end of said block, each block containing eight lots, save and except therefrom, however, blocks 29 and 31 thereof, in which said blocks, the lots thereof were numbered in consecutive order, begin-

ning at the southwest corner of said blocks 29 and 31, and numbered consecutively eastward, and thence northward, and thence westward, each of said two blocks containing eight lots.

Now, therefore, said copy of said plat is hereby declared to be, and is made the official plat of the original townsite of all of that part of the village, now City of Little Falls, lying and being east of First street, in said city, and also east half of blocks 5, 6 and 7, lying west of said First street, as shown on said plat.

Copy declared official plat.

SEC. 2. The register of deeds in and for Morrison county, Minnesota, is hereby authorized, empowered and directed to number the lots as shown on said copy of said plat above referred to, which is on file in his office, in the manner and in the way above indicated and set forth, the expense thereof to be borne by Morrison county, Minnesota.

Register of deeds authorized to correct record.

SEC. 3. This act shall take effect and be in force on and after its passage.

Approved April 10, 1903.

CHAPTER 168.

R

H. F. No. 259.

An act to provide for sending official ballots to village and town clerks, and certain election judges, by registered mail or by express, and for sending election returns to county auditors by registered mail.

Elections.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Except in cities of 10,000 inhabitants and over and precincts within fifteen (15) miles of the office of the county auditor, in all cases where the primary and general election laws now provide that the village and town clerks and judges of election in unorganized towns go to the county seat and receive the official ballots; hereafter the auditor of each county shall at least one week before the day of election send by registered mail or express to the village and town clerks and election judges the official ballots that each is entitled to receive.

County auditor to send ballots by registered mail in certain cases.

SEC. 2. And whenever the said existing election laws require the election returns and other papers to be delivered to the county auditor by one of the judges or other messenger; hereafter such returns and other papers

Election returns.

shall, in the presence of all the election judges, be deposited in duplicate, each in a separate envelope, one of which shall be sewed by drawing a substantial twine twice through said envelope and said returns, and tying the ends of said twine together, and then seal said envelope with sealing wax and stamp with a stamp furnished by the county auditor, in three places, one of the seals shall be over the knot in said twine. Said judges shall designate one of their number to take, within twenty-four hours said envelopes to the nearest postoffice, and cause them to be registered and mailed to the county auditor at his office.

Failure to
comply.

SEC. 3. Should said judges so designated fail to register and mail said envelopes within the time herein specified he shall be deemed guilty of a misdemeanor and punished accordingly.

SEC. 4. All acts inconsistent with the provisions of this act are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

S. F. No. 79.

CHAPTER 169.

R

Minnesota
Horticultural
Society.

An act pertaining to the reports of the Minnesota Horticultural society and appropriating money for printing the same.

Be it enacted by the Legislature of the State of Minnesota:

Annual
report.

SECTION 1. There shall be annually printed and bound four thousand (4,000) copies of the report of the Minnesota State Horticultural society; *provided*, the number of printed pages of the same shall not exceed five hundred twenty (520). One thousand copies of the same, more or less, as requested by the executive board of said society, shall be printed in monthly installments and bound in paper as a monthly report to be distributed among the members of said society.

Distribution.

The remainder shall be bound, at the close of the year, in cloth, and shall be distributed by the society as follows:

One copy to each of the state officers, members of the legislature, members of the board of regents of the state

university, state historical society, members of the board of the state agricultural society, one to each public library in the state when application is made therefor, and the remaining copies as the Minnesota Horticultural society shall deem best.

SEC. 2. The sum of two thousand five hundred dollars (\$2,500) is hereby appropriated annually (or so much thereof as may be necessary) to pay for the printing and binding of the monthly and annual reports of said society; said work to be performed and said sums paid under the direction of the state printing commission with the approval of the president of said Minnesota State Horticultural society.

Appropriation.

State printing commission.

SEC. 3. Chapter 215 of the General Laws of 1899, being an act pertaining to the reports of the Minnesota State Horticultural society, and appropriating money for printing the same, and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Ch. 215, 1899, repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 170.

R

S. F. No. 143.

An act to authorize counties to appropriate moneys to be used for the purpose of maintaining agricultural fairs within their respective counties.

County fairs.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The board of county commissioners of any county in this state is hereby authorized and empowered to appropriate and pay to agricultural societies within their respective counties, for the purpose of holding and maintaining agricultural fairs in said counties such sum or sums of money out of the general revenue fund of the county not otherwise appropriated, as the board of county commissioners may deem proper, not exceeding, however, in any one year, the sum of five hundred dollars; *provided*, that no such appropriation shall be paid to any county, agricultural society that is not lawfully a member of the state agricultural society, and entitled to share in the appropriation provided for

Maintaining agricultural fairs.

in section 2974, General Statutes, 1894, as amended by chapter 86 of the General Laws of Minnesota for the year 1897.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

S. F. No. 411.

CHAPTER 171.

R

An act to provide for the incorporation of subordinate or branch lodges of the I. Katolicka Slovenska Jednota v Spojenych Statoch Severnej Ameriky.

Be it enacted by the Legislature of the State of Minnesota :

I. Katolicka
Slovenska
Jednota
v Spojenych
Statoch
Severnej
Ameriky.

SECTION 1. That any subordinate or branch lodge heretofore or hereafter organized in this state under the authority of the I. Katholicka Slovenska Jednota v Spojenych Statoch Severnej Ameriky, may become incorporated in the manner following, to-wit :

SEC. 2. Such subordinate or branch lodge shall cause to be prepared a certificate which shall contain, first, the charter name and number of such subordinate or branch lodge; second, the time when and the authority by which such subordinate or or branch lodge was organized; third, the names of the charter members as they appear on the charter of such branch or subordinate lodge; fourth, the location of such subordinate or branch lodge; fifth, the names of the elective officers of such subordinate or branch lodge who hold said offices at the time of incorporation. Such certificate shall be under the seal of said subordinate or branch lodge, and shall be signed by the presiding officer, secretary and trustees thereof, and shall be recorded in the office of the register of deeds of the county where such subordinate or branch lodge was organized and meeting at the time of such incorporation, and shall be recorded in the office of the secretary of state.

File with
secretary of
state and
register
of deeds.

SEC. 3. Upon the filing for record of such certificate in the office of the secretary of the state and the register of deeds, such subordinate or branch lodge of the I. Katolicka Slovenska Jednota v Spojenych Statoch Severnej Ameriky, under its name and number, shall become a body corporate with full power to sue and be sued under

its corporate name and in such name to acquire or receive by purchase, gift, grant, bequest or otherwise any property, real, personal or mixed, and the same to hold, transfer, sell, mortgage, convey, loan, let or otherwise use in accordance with the laws and usages of said order.

SEC. 4. The seal of said subordinate or branch lodge of the I. Katolicka Slovenska Jednota v Spojenych Statoch Severnej Ameriky shall be its corporate seal. Seal.

SEC. 5. Whenever the charter of any such subordinate or branch lodge shall have been surrendered or recalled by the I. Katolicka Jednota v Spojenych Statoch Severnej Ameriky or whenever by the constitution said subordinate or branch lodge shall become defunct, the corporate power of said subordinate or branch lodge shall cease and terminate, except that such corporation as such shall have the power to collect debts due it and pay outstanding claims, and to sell, convey and dispose of such of its property as is not destined for and used exclusively by such branch lodge or by the I. Katolicka Slovenska Jednota v Spojenych Statoch Severnej Ameriky, and such property and effects of every nature shall be delivered by them to the I. Katolicka Slovenska Jednota v Spojenych Statoch Severnej Ameriky for its own use and benefit as the laws of said order shall determine. Surrender
or recall
of charter.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 172.

S. F. No. 370.

An act to legalize bonds heretofore issued at any general or special election, by any incorporated village, purporting to have been issued pursuant to chapter 200 of the General Laws of the State of Minnesota for the year 1893, and acts amendatory thereto. Legalizing
bonds
issued.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all cases where the village council or other similar body in any village of this state have heretofore issued the bonds of that village, by virtue of a general or special election of the electors of said By villages
under
chapter
200, 1893.

village purporting to authorize the same, to raise money for the purpose of making, erecting and establishing water works in such village, to be owned and controlled by such village, to supply water for the public and private use of such village and the inhabitants thereof, purporting to have been issued or authorized by any general or special election of the electors of said village, pursuant to the terms and requirements of chapter 200 of the General Laws of the State of Minnesota for the year 1893, approved April 10th, 1893, and acts amendatory thereof or otherwise, which said bonds have been actually negotiated and sold to innocent purchasers, and such village has actually received the proceeds thereof, and there were at least three notices actually given of the time and place of such general or special election stating the purpose of such election to be, among other things, to authorize the issuing of such bonds for such purpose by such village council, or other similar body, all as required by said chapter 200 of the General Laws of the State of Minnesota for the year 1893, and that such general or special election was actually held and a majority of the votes cast thereat were in favor of the issuance of such bonds for such purpose, said general or special election so held is hereby legalized and made valid and binding, as though five notices had been given of the holding of the same as required by chapter 85 of the Laws of the State of Minnesota for the year 1901, approved March 26th, 1901, or otherwise, and that said bonds so issued, by virtue of such general or special election, are hereby in all respects legalized and made binding and valid obligations of such village which has issued the same according to the terms of said chapter 200 of the Laws of the State of Minnesota for the year 1893, notwithstanding not more than three notices were given for the holding of such general or special election by virtue of which said bonds were issued; *providing*, this act shall not apply to any suit now pending relative to the legality of any bonds so issued.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 173. *R*

S. F. No. 37.

An act to establish and provide for the maintenance of public libraries and reading rooms; to create a board of library directors and prescribe their powers and duties, and to repeal certain acts inconsistent herewith.

Public
libraries
and reading
rooms.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the city council of any incorporated city, or village council of any incorporated village, shall have power to establish and maintain a public library and reading room, or either of them, for the use and benefit of the inhabitants of such city, or village, and, by ordinance, to set apart for the use and benefit of such library, real estate or other public property belonging to the municipality, and may levy a tax not exceeding two mills on the dollar annually, and in cities of over twenty thousand (20,000) inhabitants not to exceed one (1) mill on the dollar annually on all the taxable property in the city; such tax to be levied and collected, in like manner, with other general taxes of said city or village, and to be known as "library fund." And the board of directors in this chapter provided for shall have power, in their discretion, to admit to the benefit of such library persons not residing within the corporate limits of the city or village, and they shall execute a contract in writing in the form of a bond, to the village or city council, to be approved by the board of directors, conditioned to make good all damages or loss of books issued to them, with sufficient sureties, and covenanting that the person so receiving the benefits of the library shall at all times conform to all the laws, rules and regulations governing the said library. And such non-resident patrons shall pay for such privileges such sums and at such times as may be by the directors prescribed, into the city or village treasury, for the use of the said library. Upon petition of fifty freeholding citizens in any such city or village the council of any such city or village shall submit the question of the establishment of such public library or reading room to the legal voters of such city or village at the next annual election held therein, and if a two-thirds majority of the votes cast on such question at such election are in favor of the establishment of such public library or reading

City and
village
council
may levy
tax for
establishing
and main-
taining.

Non-resident
may be ad-
mitted the
use of,
condition.

Petition to
council.

Question
to be sub-
mitted to vo-
ters.

Library and
reading room
heretofore
established
confirmed.

room, then the council of such city or village shall establish the same and shall annually thereafter levy for the maintenance of such public library or reading room a tax not to exceed the rate hereinbefore provided. Whenever any council has heretofore established a library or reading room, and, by ordinance, set apart property for its use and benefit, its action is hereby confirmed. That any public library or reading room or public library and reading room which has heretofore been established in any city or village under any law of this state, and is being maintained as such by any such city or village is hereby confirmed and continued in existence and shall hereafter be maintained and operated under the provisions of this act.

Board of
directors.

SEC. 2. When any city or village council shall have decided to establish and maintain a public library and reading room, or either of them, under this act, the mayor of such city or president of such village council shall, with the approval of the city or village council, proceed to appoint a board of nine directors for the same, chosen from the the citizens at large with reference to their fitness for such office, and not more than one member of the city or village council shall be at any time a member of said board.

Term of
office.

SEC. 3. Said directors shall hold office, one-third thereof for one year, one-third thereof for two years and one-third thereof for three years from the third Saturday of July following their appointment, the term for which each member is appointed to be specified by the appointing power; and annually thereafter the mayor of such city or president of such village shall, before the third Saturday of July in each year, appoint as before three directors to take the place of the retiring directors, who shall hold office for three years and until their successors are appointed and qualified. Such mayor or president may, by and with the consent of the council, remove any director for misconduct or neglect of duty.

Removal
from office.

Vacancies.

SEC. 4. Vacancies in the board of directors occasioned by removals, resignations, death or otherwise shall be reported to the city or village council and be filled in like manner as original appointments, but appointments to fill vacancies shall be for the unexpired term. No director shall receive any compensation as such.

Organization.

SEC. 5. Said directors shall, immediately after ap-

pointment, meet and organize by the election of one of their number president, and another of their number secretary, and by the election of such officers as they may deem necessary. And said secretary, before entering upon the duties of his office, shall be required to give bond, with sureties, to the satisfaction of and in an amount to be fixed by said directors.

They shall make and adopt such by-laws, rules and regulations for their own guidance, and for the government of the library and reading room, or either of them, as may be expedient, not inconsistent with this act.

Make rules,
etc.

They shall have the exclusive control of the expenditure of all moneys collected and placed to the credit of the library fund and of the construction of any library building, and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose:

Exclusive
control.

Provided, that all moneys received for such library shall be paid by the county treasurer to the treasurer of said city or village who shall deposit the same to the credit of the library fund, and shall be kept separate and apart from other money of said city or village, and shall be paid out only upon the properly authenticated vouchers of the library board.

County treasurer to transfer moneys to city or village treasurer.

Said board shall have the power to lease and provide appropriate rooms for the use of said library; shall have power to appoint a suitable librarian and necessary assistants, and fix their compensation, and shall also have power to remove such appointees, and shall in general carry out the spirit and intent of this act. Said board shall have the power, when approved by such city or village council, to purchase ground and erect thereon a suitable building for the use of said library.

Provision
for rooms.

Librarian and
assistants.

Said board, with the consent of the common council, or other governing body of any such city or village, duly expressed by resolution or ordinance, may accept any conveyance, gift, grant, donation, devise or bequest for library purposes, or for the establishment, maintenance or enlargement of an art gallery or museum in connection with such library which may be given, granted, conveyed, donated, devised or bequeathed by any person, company or corporation to any such city or village for library purposes, and may enter into any agreement with any such person, company or corporation, or with his or

Gifts, grants,
etc.

their legal representatives, affecting such gift, grant, donation, bequest or devise as may be proposed or imposed concerning the same, subject, however, to the limitations in this act contained, and any such agreement shall have the full and binding effect of a contract between such person, company or corporation and such city or village.

Directors
now in of-
fice to con-
tinue to end
of term
elected for.

SEC. 6. Directors of all such public libraries and reading rooms now in office, by virtue of election or appointment under existing laws, shall continue in office until the expiration of the terms for which they were so elected or appointed, but their successors in office shall be appointed upon expiration of their respective terms of office under the provisions of this act, and any vacancies occurring prior to the expiration of the regular terms of such directors now in office shall be filled as provided for in this act.

Report.

SEC. 7. Said board of directors shall make on or before the 31st day of December, in each year, a report to the city or village council stating the amount received during the past year from taxes and all other sources, the amount expended and for what purposes, the number of books on hand, the number purchased, the number loaned, and such other information as they may deem of interest; and shall send one copy of such report to the Minnesota State Public Library commission.

Title to prop-
erty in
name of city
or village.

SEC. 8. Any and all property given, granted, conveyed, donated, devised or bequeathed to, and any and all property purchased or acquired by any such city or village for the purposes of libraries or reading rooms shall vest in and be held in the name of the city or village in which such library or reading room is situated, and any conveyance, grant, donation, devise, bequest or gift made to or in the name of any library or library board shall be deemed and considered as having been made directly to such city or village for libraries and reading rooms.

Free use.

SEC. 9. Every library and reading room established under the provisions of this act shall be forever free to the use of the inhabitants of the city or village wherein the same is located, subject to such reasonable rules and regulations as the library board may adopt.

Ch. 93, 1901,
not repealed.

SEC. 10. All acts and parts of acts inconsistent with the terms of this act are hereby repealed; *provided, however*, that nothing in this act shall be construed to in any manner repeal any of the provisions of chapter 93 of the

Laws of Minnesota for the year 1901, or to in any manner abrogate or impair any acts, contracts or proceedings taken or entered into under or pursuant to the terms of said chapter 93, and *provided, further*, that the provisions of this act shall not apply to cities of a population of over fifty thousand (50,000) inhabitants, and all provisions of law with reference to cities of over fifty thousand (50,000) population shall be and remain the same as if this act had not been passed.

Does not apply to cities of over 50,000 population.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 174.

R

S. F. So. 392.

An act to amend section 45 of chapter 4 of the Laws of Minnesota for 1893, as amended by chapter 136 of the Laws of Minnesota for 1895, relating to the regulation of elections.

Elections.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 45 of chapter 4 of the laws of Minnesota for 1893, as amended by chapter 136 of the laws of 1895, be amended so as to read as follows:

Sec. 45. The secretary of state and county auditors and city clerks shall respectively place upon the several ballots printed by them the name of each candidate for office who shall have been nominated as hereinbefore provided, and whose certificate of nomination has been presented within the time specified, and on payment of the fee prescribed by law, which shall be as follows:

Names of candidates on ballot

For each name tendered to be placed upon the white ballot, fifty dollars, to be received by the secretary of state and by him paid into the state treasury.

Fees:
State ballot: \$50.

For each name tendered to be placed on the red ballot, five dollars, to be received by the city clerk and by him paid into the city treasury; *provided, however*, that in incorporated cities of three thousand inhabitants or less, only two dollars need be paid for each name tendered to be placed upon said red ballot.

City ballot: \$5.

In cities of 3,000 or less: \$2.

For each name tendered to be placed upon the blue ballot, ten dollars, to be received by the county auditor and by him paid into the county treasury.

County ballot: \$10.

No Fee.

Provided, however, that no fee shall be required from any person who is a candidate for any office to which no compensation is authorized to be paid.

Nominations
by more than
one party.

Provided, further, that when any candidate is nominated for the same office by more than one political party, the name of the party by whom he was first nominated shall be given the first place following his name; and *provided, further,* that where the person whose name is to be placed upon the blue ballot is to be voted for in more than one county, as in case of members of congress, judges of district courts, etc., then the fee shall be twenty dollars, and shall be divided among the several counties as nearly equal as may be, and the portion due each paid at the time and in the manner provided for single counties.

District
candidates:
\$20.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

S. F. No. 393.

CHAPTER 175.

R

Sheriffs' fees.

An act fixing the fees which shall be charged and collected by the sheriffs of counties having a population of not less than seventy-five thousand and not more than one hundred fifty thousand for returning summons when parties can not be found.

Be it enacted by the Legislature of the State of Minnesota :

In counties
not less than
75,000 nor
more than
150,000.

SECTION 1. That in any county having a population of not less than seventy-five thousand and not more than one hundred fifty thousand, the fees of the sheriff of such county for making diligent search and inquiry and returning summons when parties can not be found, shall be one dollar (\$1.00), without regard to the number of defendants.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 176.

S. F. No. 482.

An act to amend section two hundred and ninety (290) of the General Statutes 1894, relating to the publication of the "Legislative Manual."

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Section two hundred and ninety (290) of the General Statutes 1894, is hereby amended by striking out of said section two hundred and ninety (290) the words: "Jefferson's Manual." So that said section two hundred and ninety (290) shall read as follows:

Legislative Manual.

"Section 290. It shall be the duty of the secretary of state to cause to be prepared and published for the use of the senate and house of representatives, a book to be denominated, "Legislative Manual," which shall contain the Constitution of the United States and the Organic Act and the Constitution of this state, rules of order of the senate and house of representatives of this state, joint rules of the senate and house, lists of senators and members of the house, and employees of each house, statistical and other information of the same description, with that heretofore published in the legislative manual.

Eliminates Jefferson Manual.

SEC. 2. All acts or parts of acts inconsistent with the provisions of said section two hundred and ninety (290) of General Statutes 1894 are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 177.

S. F. No. 119.

An act relating to notaries public and their powers in certain counties.

Notaries Public.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in any county which has heretofore been detached from another county of this state, and which has been newly created and organized, any notary public residing in such newly created and organized county, who was a resident of the county from which such new county was detached and created, shall have the same powers during the unexpired term of his appoint-

In counties detached from another and organized, authorized in new county.

ment as such notary public which he was authorized by law to exercise under the commission issued to him as a resident of the county from which said new county was detached and created, and within which he was originally appointed such notary public; and all acts heretofore done by any such notary public, while residing in said newly created and organized county, otherwise in conformity of law, are hereby declared to be legal and valid and to the same effect as if said notary public had been originally commissioned such as a resident of said newly created and organized county.

Commission
recorded with
clerk of court
in new
county.

SEC. 2. Such notary public so residing in said newly created and organized county shall have his commission as such notary public recorded by the clerk of the district court of said newly created and organized county in which he resides, or of the county to which said newly created county is attached for judicial purposes, as provided in section two thousand two hundred and seventy-two (2272) of the General Statutes of one thousand eight hundred and ninety-four (1894), and when so recorded shall be entitled to the same certificate of and from the clerk of said district court as provided in said section two thousand two hundred and seventy-two (2272).

Seal.

SEC. 3. Such notary public shall also immediately upon the adoption of this act provide himself with an official seal as provided in and in conformity with section two thousand two hundred and seventy (2270) of the General Statutes of one thousand eight hundred and ninety-four (1894).

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 178. *R*

S. F. No. 284.

An act to amend section eight (8) of chapter two hundred and fifty-eight (258) of the General Laws of Minnesota for the year one thousand nine hundred and one (1901), being an act entitled: "An act providing for the drainage of lands in certain cases, prescribing the powers and duties of county commissioners and other officers in the premises and appropriating funds for the payment of assessments against state lands affected thereby, and prescribing penalties for the violation thereof, and repealing certain acts therein mentioned and referred to."

Drainage.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section eight (8) of chapter two hundred and fifty-eight (258) of the General Laws of Minnesota for the year one thousand nine hundred and one (1901), be and the same is hereby amended so as to read as follows:

Section 8. Within three days after the filing of such report it shall be the duty of the auditor to call a special meeting of the board of county commissioners, by giving to each member thereof not more than thirty-five days' notice, in the manner provided by law for notifying county commissioners of special meetings. He shall also cause a notice of the time and place of such special meeting to be given to all persons interested, by publication for three successive weeks prior thereto in a newspaper printed and published in said county, and by posting, at least three weeks before such meeting, printed copies thereof in three public places in each township where the proposed work is located, and one at the door of the court house in said county, of the pendency of said petition and viewers' report, and of the time and place set for the hearing thereof, which notice shall briefly state substantially where said ditch commences, a description of the land through which it passes, and where it terminates, together with the names of the owners of the lands that will be affected thereby, as the same appears in the report of the viewers; and within one week after beginning such publication the auditor shall mail a printed copy of said notice to all non-residents of the county named in such viewers' report as affected by such proposed work, whose

On filing of report, auditor to call special meeting of commissioners.

Publication of notice, giving time and place, etc.

Posting.

Notice to non-residents.

Defective
notice.

Final order
establishing
ditch set
aside.

Rehearing.

address is known to him, or can be ascertained by him by inquiry at the county treasurer's office; *provided*, that in all cases in which, for any cause, said notice shall not be given, or in any case said notice shall be legally defective, the county auditor shall cause the same to be again given, so that the petition may be heard at another special, adjourned or regular meeting of said board, which will occur more than seven days after the expiration of another notice by like publication, posting and mailing; as provided in the first instance.

Provided, further, that whenever any final order of the board of county commissioners establishing any ditch in proceedings under this chapter and amendments thereto shall have been heretofore or shall be hereafter set aside, annulled or declared void by any court by reason of a failure to give proper notice of the said pendency of said petition and viewers' report and of the time and place set for the hearing thereof, the county auditor, at any time within one year after the rendering of such judgment or decision, upon the application of any petitioner in such case, or upon being directed by resolution by the board of county commissioners, shall call a special meeting of such board of county commissioners for a rehearing on such petition and viewers' report, and shall give notice of such meeting and rehearing in the manner hereinbefore provided, and at such meeting the said board of county commissioners shall proceed to reconsider such report, shall act upon the same and make findings thereon and may establish such ditch in conformity with the provisions of said chapter two hundred and fifty-eight (258) and amendments thereto.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

S. F. No. 13.

Deeds, mortgages, etc.

CHAPTER 179.

R

An act to legalize and validate the defective execution of deeds, mortgages and other instruments, and the record thereof.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all cases where deeds, mortgages or other instruments affecting real estate within this state,

or letters of attorney authorizing the same, have heretofore been actually recorded in the office of the register of deeds of the county where the real estate thereby affected was, at the time of the making of such records, or is, situate, whether such deeds were duly or properly admitted to record or otherwise, all such instruments and the record thereof are hereby legalized and confirmed; and all such records may nevertheless be read in evidence in any court within this state, and shall be received as prima facie evidence of the contents of the original instruments of which they purport to be records;

Legalized.

Prima facie evidence.

And all such records shall in all respects have the same force and effect as they would have if such original instruments at the time that they were so recorded had been legally entitled to record and were legally recorded.

Force and effect as original.

SEC. 2. That duly authenticated copies of such record may be read in evidence in any court within this state, with the same effect as the records themselves aforesaid.

Authenticated copies evidence.

Provided, that nothing in this act shall be held to apply to any action heretofore commenced or now pending in any of the courts of this state.

Actions pending.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 180.

R

S. F. No. 572.

An act to fix the time for holding the general terms of the district court in and for the county of Crow Wing.

Terms of court in Crow Wing County.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the general terms of the district court in and for the county of Crow Wing and Fifteenth judicial district of this state shall hereafter be held in each year as follows: On the third Tuesday in May and the second Tuesday in December.

SEC. 2. All writs, processes, bonds, recognizances, continuances, appeals, notices and proceedings had, made, sued or returnable to the district court aforesaid in said county, as fixed by law prior to the taking effect of this act, shall be and the same are hereby made returnable to the terms of said court as the same are prescribed by this

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

S. F. No. 339.

CHAPTER 181.

Village bonds
issued under
Ch. 200, 1893.

An act to legalize bonds heretofore negotiated by incorporated villages purporting to have acted under the authority of and pursuant to chapter two hundred (200) of the General Laws of Minnesota for the year one thousand eight hundred and ninety-three (1893), and all acts amendatory thereof and supplemental thereto.

Be it enacted by the Legislature of the State of Minnesota:

Legalized in
certain cases.

SECTION 1. That in all cases where the village council, or other similar body, in any village of this state, shall have heretofore negotiated the bonds of such village for the purpose of acquiring funds with which to provide a system of lighting in such village for public and private use, and purporting to be authorized under and pursuant to the terms of chapter two hundred (200) of the General Laws of Minnesota for the year 1893, approved April 10, 1893, and all acts amendatory thereof and supplemental thereto, which bonds have been actually negotiated by such village, such bonds are hereby in all respects legalized, notwithstanding the notice of election on said bonds set forth that the polls would be open from ten o'clock in the forenoon to two o'clock in the afternoon, and notwithstanding the polls were opened at ten o'clock in the forenoon and closed at two o'clock in the afternoon; *provided only,*

Provido.

First—That in all other respects the proceedings relating to the issue and negotiation of said bonds were legal and within the authority conferred by chapter 200 of the General Laws of Minnesota for the year 1893, and all acts amendatory thereof and supplemental thereto.

Second—That nothing herein contained shall be construed as legalizing any bonds now in litigation.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 182. *R*

S. F. No. 454

An act to limit the term of office of the field and general officers of the national guard.

National guard.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section seventy-three (73) of chapter one hundred eighteen (118), General Laws of eighteen hundred and ninety-seven (1897), known as the military code, be and the same is hereby amended by adding thereto the following:

"The field and general officers of the brigade shall hold their office and commission, respectively, for the period of ten years from date of their election, and until their successors have been elected and commissioned. *Provided*, that nothing herein contained shall disqualify an officer for re-election, and when so re-elected, the fact shall be endorsed on his original commission."

Brigade of officers hold office ten years.

SEC. 2. The term of office of all officers mentioned in this act, who have held their commissions for ten years or more, will expire upon the passage of this act and the election of their successors in accordance with the provisions of the military code.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 10, 1903.

CHAPTER 183. *R*

S. F. No. 566.

An act to amend section eight (8) of chapter eighty-three (83) of the General Laws of Minnesota for the year eighteen hundred and ninety-seven (1897), entitled, "An act to provide for the loaning of the permanent school and permanent university funds of the state to any county, school district, city, town or village in this state, as authorized by section six (6) of article eight (8) of the Constitution of the State of Minnesota."

Permanent school and university funds.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section eight (8) of chapter eighty-three (83) of the General Laws of eighteen hundred and

ninety-seven (1897), be and the same is hereby amended so as to read as follows:

Invested in
county drain-
age bonds
at 3 per cent,
other bonds
4 per cent.

Section 8. All loans made under the provisions of this act shall bear interest at the rate of four (4) per cent per annum, payable annually; *provided*, that county drainage bonds bearing interest at not less than three (3) per cent per annum, issued under and pursuant to the provisions of chapter two hundred fifty-eight (258) of the General Laws of Minnesota for the year nineteen hundred and one (1901), or any acts amendatory thereof, may be purchased direct from the county issuing the same.

Principal and
interest due
July 1.

All principal and interest shall fall due on the first day of July of the designated year, and no principal or interest shall be payable until such time shall elapse after making the loan for a tax to be levied and collected therefor.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

S. F. No. 75.

CHAPTER 184.

R

Schools.

An act to amend section nine (9) and section twenty-eight (28) of chapter three hundred and fifty-two (352) of the laws of one thousand eight hundred and ninety-nine (1899), as amended by sections one (1) and five (5), respectively, of chapter one hundred and eighty-nine (189) of the laws of one thousand nine hundred and one (1901), relating to certain schools.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section nine (9) of chapter three hundred fifty-two (352) of the laws of one thousand eight hundred and ninety-nine (1899), as amended by section one (1) of chapter one hundred and eighty-nine (189) of the laws of one thousand nine hundred and one (1901), be and the same hereby is amended so as to read as follows:

Aid to certain
schools,
conditions.

Section 9. The said high school board shall receive applications from such schools for state aid, and shall apportion to each of said schools which shall have fully com-

plied with the provisions of this act and the rules of the board relating to state high schools, and whose applications shall have been approved by the board, the sum of one thousand five hundred dollars (\$1,500); *provided*, that the amount of state aid granted under the provisions of this act shall in no case exceed the amount expended for the maintenance of high school work, exclusive of the cost of buildings and repairs thereon; *provided, further, however*, that in case the amount appropriated and available under this act for the payment of aid to such schools shall, in any year, be insufficient to apportion each of such state high schools as are entitled thereto the full amount of one thousand five hundred dollars (\$1,500), then in such case such amount as is appropriated and available shall be apportioned pro rata among all the schools entitled thereto.

SEC. 2. That section twenty-eight (28) of chapter three hundred and fifty-two (352) of the General Laws of one thousand eight hundred and ninety-nine (1899), as amended by section five (5) of chapter one hundred eighty-nine (189) of the laws of one thousand nine hundred and one (1901), be and the same hereby is amended so as to read as follows:

Section 28. For the purpose of carrying out the provisions of this act the following sums are hereby appropriated annually, to be paid out of any moneys in the state treasury not otherwise appropriated, viz: For aid to state high schools, the sum of two hundred and seventeen thousand (217,000) dollars.

Appropriations.

To high schools.

For aid to state graded schools, the sum of seventy-nine thousand (79,000) dollars.

Graded.

For the necessary expenses of the state high school board and the salaries and traveling expenses of the high school and graded school inspectors, in a sum not to exceed nine thousand five hundred (9,500) dollars, shall be drawn from the annual appropriations herein made for high and graded schools in proportion to the respective amounts appropriated to each, which sum shall become available on the first (1st) day of August, one thousand nine hundred and one (1901).

Expenses of board and inspectors, how paid.

For aid to state semi-graded schools, the sum of sixty-even thousand (67,000) dollars.

Semi-graded.

For aid to state rural schools, the sum of one hundred thousand (100,000) dollars, which amounts, or so much

Rural schools.

thereof as shall be necessary shall be paid on the warrants of the superintendent of public instruction, drawn on the state auditor.

Provided, the first annual appropriation herein provided for shall become available August 1st, nineteen hundred and three (1903), for the school year ending July thirty-first (31st), nineteen hundred and three (1903).

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

S. F. No. 214.

CHAPTER 185.

R

Cities.

An act to authorize cities of not less than ten thousand and not more than fifty thousand population to provide water and light for public use of the inhabitants without owning the plant therefor.

Be it enacted by the Legislature of the State of Minnesota:

Providing
for water
and light
in cities of
10,000 to 50,000.

SECTION 1. That all cities of the State of Minnesota, which now or at any time hereafter have more than ten thousand and not more than fifty thousand inhabitants, are hereby authorized to provide water, for use of such city for fire protection, or other public use, and for private use of its inhabitants, by contract with private individuals or private corporations, if such cities have no water system of their own; and for that purpose may contract for such water supply on such terms and conditions and for such period, not exceeding thirty years, as the city council of such cities, by an affirmative vote thereof, shall determine; and may from time to time alter, renew or extend any such contract that may now be in force, or hereafter made by like vote of said city council, and as a part of such contract may authorize the laying, maintaining, repairing and operation of all water mains, hydrants, connections and other appliances in the streets, alleys and other public places of said city, whether the same are now laid and in operation or hereafter established.

SEC. 2. That all cities in the State of Minnesota which now, or at any time hereafter, have more than ten thousand and not more than fifty thousand inhabitants,

are hereby authorized to provide light, for use of such city or for use of its inhabitants, by contract with individuals or private corporations, if such cities have no lighting plant of their own; and for such purpose may contract for such light on such terms and conditions, and for such period, not exceeding fifteen (15) years, as the city council of such cities by an affirmative vote thereof shall determine; and may from time to time alter, renew, or extend any such contract that may now be in force or hereafter made by like vote of said city council, and as a part of such contract may authorize the occupation of the streets, alleys, and public streets of the city with the poles, wires and other apparatus necessary therefor.

SEC. 3. Said cities shall have power to levy such taxes as may be required to pay all sums agreed to be paid by them according to any contracts so made, but only such installments as are agreed to be paid by said cities under said contracts during the current year shall be considered an indebtedness within the meaning of any law limiting the amount of indebtedness that may be incurred in any one year by such cities. Tax levy.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 186.

R

S. F. No. 77.

An act relating to the advertising for bids and the letting of contracts in excess of five hundred (\$500) dollars by county commissioners in the counties of this state having a population of not more than seventy-five thousand inhabitants.

Counties not over 75,000.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The county commissioners of any county in this state having a population of not more than seventy-five thousand inhabitants shall not make, suffer, or cause to be made any purchase or contract for goods, wares, merchandise or materials or furniture and fixtures, or any contract for any work or labor to be performed in and about the construction, alteration or repair of any county building, for or on behalf of their county, the estimated value or expense of which said goods,

County commissioners not to incur expense of over \$500, without giving notice by publication for bids.

wares, merchandise or materials, or furniture and fixtures, or work and labor shall exceed five hundred dollars, without first causing at least ten (10) days notice to be given in a newspaper of general circulation in the county, publishing the official proceedings of the county commissioners, that proposals will be received for the purchase or furnishing of any such goods, wares, merchandise or materials or for the performance of such work and labor for said county, and said county commissioners shall make, or cause to be made, such purchase or contract with the lowest responsible bidder, or in case bids so received are not satisfactory, they shall readvertise for new bids.

Approval by
county com-
missioners.

SEC. 2. All contracts for such supplies, materials, goods, wares or merchandise, or for furniture or fixtures, or for the performance of any such work or labor, shall be approved by the board of county commissioners and signed by the chairman of such board. Any action of such board of county commissioners, or of any committee thereof, or of any person or persons in violation of the provisions of this act, shall be null and void, as against the county.

To invite bids
by posting
notices and
publications.

SEC. 3. It shall be the duty of the county commissioners in any such county, when they have decided what work shall be done on the roads and bridges of the county, upon which they are by law authorized to expend county road and bridge funds, to invite bids for all such work, the estimated cost or expense of which shall exceed five hundred (\$500) dollars, by posting notices for at least fifteen (15) days prior to the letting of the contract for the same, in at least three (3) of the most public places in the township wherein such work is to be done, and also by one publication in a newspaper of general circulation in the county, publishing the official proceedings of the board of county commissioners, at least ten (10) days previous to the date when such contracts are to be awarded, and in case any portion of such work is within the limits of any incorporated village, by also posting notices in three (3) of the most public places in such village, and such notices shall contain a brief description of such work, and shall state the time and place of awarding the contract for the same, and at the time and place mentioned in such notice, it shall be the duty of such board to let such contract or contracts to the lowest responsible

Notice to give
description of
work, time
and place for
award of
contract.

bidder, who shall in all cases be required to enter into a written contract, evidencing the same, and said board shall require a satisfactory bond for the faithful performance of such contract. In case bids so received are not satisfactory to said board of county commissioners, they shall advertise for new bids. In all cases where there are no newspapers published in the county, the publication of the notices mentioned in this act in a newspaper shall not be necessary.

SEC. 4. In case of an actual and unforeseen emergency arising from the breakage of machinery located about the court house in any county, or washouts or breakage of roads and bridges that cannot be allowed to wait for the time required to advertise for bids as herein required, then such repairs may be made without advertising for bids; *provided, however*, such work is authorized by a majority of the board of county commissioners and such action shall be ratified and recorded in the official proceedings of said board at their next meeting. Emergency exception.

SEC. 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 187.

R

S. F. No. 360.

An act to regulate the manufacture and sale of amber cane or sorghum syrup, to prevent fraud, and to preserve the public health.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any person, firm or corporation, or any person who, as the agent of any firm or corporation, shall sell, offer or expose for sale, or have in his possession with intent to sell, any syrup made from amber cane or sorghum that shall be mixed or adulterated with glucose, or corn sugar syrup, or any other substance of any name whatever not natural or normal to amber cane or sorghum syrup, shall be guilty of a misdemeanor, and upon conviction be punished by a fine of not less than twenty-five (25) dollars, nor more than seventy-five (75) dollars. Adulterated syrups.
Misdemeanor.
Penalty.

and costs, or by imprisonment not to exceed ninety (90) days.

Labeled.

Provided, that the provisions of this act shall not apply when each barrel, cask, keg, or other package containing the said amber cane or sorghum syrup, that may be mixed or adulterated with any substance not natural or normal to said amber cane or sorghum syrup, shall be labeled with a label printed in the English language in plain bold-faced type at least one-half ($\frac{1}{2}$) inch in length the following formula: "This amber cane or sorghum syrup is mixed with the following substances and none other: (Here give the name and proportionate quantity of each substance), and following this the name and address of the manufacturer of the mixture."

Dairy and food commissioner.

SEC. 2. It shall be the duty of the state dairy and food commissioner and his assistants, experts, chemists and agents by him appointed, to enforce the provisions of this act.

Fines placed to credit of dairy and food commissioner's fund.

SEC. 3. In all prosecutions under this act the costs thereof shall be paid in the manner now provided by law, and such fines shall be paid into the state treasury and placed to the credit of the state dairy and food commissioner's fund.

SEC. 4. This act shall take effect and be in force from and after October 1st, 1903.

Approved April 14, 1903.

S. F. No. 402.

CHAPTER 188.

Drainage.

An act to reimburse owners of land damaged by ditches or drains constructed under the provisions of chapter two hundred and fifty-eight (258) of the General Laws of nineteen hundred and one (1901).

Be it enacted by the Legislature of the State of Minnesota:

Damages subsequent to construction.

SECTION 1. That whenever any land adjacent to any ditch or drain constructed under the provisions of chapter two hundred fifty-eight (258) of the General Laws of 1901 has been damaged subsequent to the construction of such ditch or drain by reason of a part of the soil being carried away by water flowing through said ditch or drain, or by the deposit of earth or any other foreign substance (snow and ice excepted) on said land, and

which damage was not considered and included in the award of the viewers appointed in the proceedings to construct such ditch or drain, the owner of the land so damaged may, at any time within six years after the completion of the ditch or drain causing such damage petition the board of county commissioners of the county where the land claimed to be damaged is situated, for the appointment of viewers to ascertain and report the amount of such damages, such petition shall state the description of the land alleged to have been damaged, the amount of damage claimed, the location of the ditch or drain, the description of the land found in the proceedings to construct said ditch or drain to have been benefited by its construction, and the names of the owners of the land benefited, as shown by the last assessment roll.

Within six years petition for appointment of viewers.

Upon the filing of the petition and a bond in the sum of one hundred dollars, conditioned that if it finally be determined that no damages have been sustained that are properly allowable under section one of this act, the petitioner will pay all the expense of the proceedings had under the petition, it shall be the duty of the board of county commissioners at their next regular or special meeting to appoint three persons who are qualified under the provisions of section five (5) of chapter two hundred fifty-eight of the General Laws of 1901, viewers, selecting if practicable the same persons as acted as viewers in the proceedings to construct the drain or ditch causing the damage, and the board of county commissioners shall fix the time and place for the first meeting of the viewers, which shall be not more than twenty (20) days from the date of their appointment. In case any of the viewers so appointed shall fail for any cause to qualify, the county auditor shall designate some proper person to take his place. Each of said viewers before entering upon the duties of his office shall take and subscribe an oath that he will faithfully perform his duty as viewer and file the same in the office of the county auditor.

Bond.

Board of county commissioners shall appoint viewers.

Upon the appointment of the viewers the county auditor shall give notice to parties interested, and whose lands are liable to be assessed for the payment of the damages claimed, by one publication at least one week before the first meeting of the viewers in the newspaper in which the last delinquent real estate tax list was published, if that paper is still published in the county, and, if not, in

Notice to be given interested parties by publication.

some legal newspaper printed and published in the county, and if there is none, in some newspaper published at the state capital, stating the date and first meeting of the viewers, and that any party interested may appear at that meeting and at such other time and place as the viewers may fix, and be heard in relation to the damages and such other matters as the viewers are authorized to hear and determine, and proof of the publication of said notice shall be filed in the office of the county auditor prior to the first meeting of the viewers.

Viewers to meet, time, place, and hearing.

SEC. 2. The viewers shall meet at the time and place named by the board of county commissioners for their first meeting and hear such evidence as shall be offered by the petitioner or any interested party, and for that purpose they may adjourn their hearing from time to time and to such places in the county as they may deem proper, and they shall make a personal examination of the damaged premises and inquire into the cause and amount of damage, and if they find that any damage contemplated by section one (1) of this act has been done the land described in the petition, they shall make an award in writing, stating the cause and amount of damage and file said award in the office of the county auditor, and the county auditor shall, after the time to appeal has expired as hereinafter provided, if no appeal is taken, issue an order on the county treasurer for the amount of such award in favor of the party entitled thereto, and the amount so paid, together with the fees and expenses of the viewers, shall be assessed against the land that was found in the proceeding to construct the ditch in question to have been benefited in the proportion and manner provided by chapter two hundred fifty-eight (258) of the General Laws of 1901 for the assessment of benefits.

Award, and expenses assessed against land benefited.

In case no damage sustained, petitioners to pay expenses.

If the viewers find that no damages have been sustained that are properly allowable under the provisions of this act they shall so report, and the expenses of the proceeding shall be paid by the petitioner, and on his failure to pay the county may maintain an action on the bond hereinbefore provided for.

Viewers to receive \$3 per day and expenses.

Each of the viewers shall receive three dollars (\$3.00) per day for each day actually and necessarily spent in the performance of his duty as viewer, not exceeding 5 days, together with his actual necessary expenses, an itemized account thereof to be filed with and audited and

allowed by the county auditor, and paid by the county treasurer on the order of the county auditor.

SEC. 3. Either the board of county commissioners, the petitioners or any party whose lands are liable to assessment for the damages awarded, if they feel aggrieved, may within thirty (30) days after the filing of the viewers' award appeal to the district court of the county in which the proceedings are had by serving on the parties who have appeared in the proceedings before the viewers and filing with the county auditor a notice of appeal, stating that an appeal is taken to the district court from the award of the viewers, and filing with the auditor a bond in the sum of five hundred dollars (\$500), with sufficient sureties to be approved by him, conditioned if the award and decision of the viewers is sustained the appellant will pay the cost of the appeal and abide and satisfy any judgment the court may render against him in the premises.

Appeal to district court.

Bond.

Before the taking of the appeal the auditor shall forthwith file with the clerk of the district court the original petition, the award and bond on appeal, and thereupon there shall be pending in the district court a civil action to determine whether any damage has been done the land described in the petition, that come within the provision of the first section of this act and the amount of such damages, and said action shall be tried in the manner provided for the trial of civil actions.

Petition to be filed with clerk of court, on appeal.

Any party may appeal from the judgment or any appealable order of the district court to the supreme court in the same manner as appeals in civil actions are taken. The final judgment in the action, if in favor of the petitioner, shall be certified to the county auditor, and assessed in the manner provided in section two (2) of this act for the assessment of the award of the viewers.

Appeal to supreme court.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

S. F. No. 300.

CHAPTER 189.

To regulate
common car-
riers and
duties of rail-
road and
warehouse
commission.

An act to amend chapter ten (10) of the General Laws of the State of Minnesota for the year 1887, being an act to regulate common carriers and creating the railroad and warehouse commission of the State of Minnesota, and defining the duties of such commission in relation to common carriers.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section fifteen (15) of chapter ten (10) of the General Laws of 1887 is hereby amended by adding the following subdivision:

In case no
jurisdiction
of railroad
commission.

(e) Whenever the commission in any proceeding commenced under the provisions of subdivisions (e) or (f) of section eight (8) of this act shall decide that it has no jurisdiction to determine the reasonableness of any rates, fares, charges or classifications under consideration in such proceeding, for the reason that the traffic covered by said rates, fares, charges or classifications is interstate commerce, it may make its order dismissing the proceedings as to such traffic, stating the grounds for such dismissal.

Appeal to
district
court.

Any party to the proceedings or intervenor therein, or the attorney general may within thirty days after a copy of such order is served on him, appeal to the district court of any county of this state in which the defendant carrier or any one of them, if more than one carrier is a party to the proceeding operates any part of its line of railroad, by serving on the defendant carriers and filing with the commission a notice of appeal, stating that he appeals from the order to the district court, naming the county and giving the title of the proceeding before the commission and the date of the order. If one of the members of the railroad and warehouse commission dissent from the order of dismissal, the commission may certify the question of its jurisdiction to the district court of any county to which the appeal herein provided may be taken, and the commission shall notify defendant carriers and all other parties to proceedings that it has certified the question to the district court, stating the county and the date of the certificate upon the taking of an appeal or the certifying the question of jurisdiction to the court, the commission shall forthwith file with the clerk of the

Dissent.

Railroad and
warehouse
commission
may certi-
fy to dis-
trict court.

court to which the appeal is taken or certificate made, all the papers, pleadings or orders, proceedings and evidence had before the commission including the notice of appeal and the findings of the commission and order of dismissal, and upon the finding of such papers, there shall be pending in said court a civil action for the purpose of determining the question of jurisdiction of the commission to hear and determine the reasonableness of the rates, fares, charges or classifications involved in the decision and order of the commission hereinbefore referred to. That said action may be brought on for hearing by either party on ten days notice in term time or in vacations, and the court shall proceed to hear the same upon the evidence taken before the commission, and such further evidence as may be offered in the manner provided by law for the trial of civil actions. After hearing the evidence, the court shall make its order affirming or reversing the order of the commission and in case the order of the commission is reversed, the proceedings shall be again taken up by the commission and the question involved determined on their merits.

Any party to the action, the attorney general or the railroad and warehouse commission, may appeal to the supreme court from the order of the district court in the manner provided for appeals in civil actions.

Appeal to
supreme
court.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 190.

S. F. No. 131.

An act to amend section one thousand two hundred and nineteen (1219) of the General Statutes of one thousand eight hundred and ninety-four (1894), as amended by section two (2) of chapter thirty-three (33) of the General Laws of one thousand eight hundred and ninety-nine (1899), providing for duties of village officers and payment of orders.

Village of-
ficers and
payment of
orders.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one thousand two hundred and nineteen (1219) of General Statutes of one thousand eight hundred and ninety-four (1894), as amended by

section two (2) of chapter thirty-three (33) of General Laws of one thousand eight hundred and ninety-nine (1899), be and the same is hereby amended so as to read as follows:

Officers oath,
bond, duties
of treasurer.

"Section 1219. Village Officers—Oath—Bond—Treasurer's Duties. The inhabitants of said village having the qualifications of electors of members of the legislature of the State of Minnesota, as hereinafter provided, may elect a president, three trustees, a treasurer, a recorder, and, if said village is a separate election district, an assessor, who shall hold their respective offices for one year, or until their successors are elected and qualified; also two justices of the peace, and two constables, who shall hold their respective offices for two years, or until their successors are elected and qualified; and, before entering upon the duties of their respective offices, they shall each take an oath or affirmation to support the constitution and laws of the State of Minnesota, and faithfully discharge the duties of his office. The treasurer shall give bonds for twice the amount of funds collected. The treasurer shall keep a true account of all moneys by him received by virtue of his office, and the manner in which the same are disbursed, in a book provided for that purpose, and shall exhibit such account, together with his vouchers, to the village council at its annual meeting, or at any time when called for by resolution of said council for adjustment, and shall deliver all books and papers belonging to his office, and the balance of all moneys, as such treasurer, to his successor in office. *Provided*, that the treasurer shall not pay out any moneys in his hands except upon the written order of the president of the council, attested by the recorder. The treasurer shall, from time to time, draw from the county treasury such moneys as may be due said corporation, for the use of said village, and, on receipt of said moneys, give proper vouchers therefor. And *provided, further*, that each and every village treasurer in this state shall keep a suitable book, to be provided at the expense of the village, in which he shall enter the village orders that he cannot pay for want of funds when presented to him for payment, which orders when presented shall be indorsed by such treasurer by putting on the back of the same the words "not paid for want of funds," giving the date of such indorsement, signing the same as village treasurer. Every

On written
order of pres-
ident.

Not paid
for want
of funds.

such order shall bear interest at the rate of six per cent per annum from the date of presenting same to the treasurer until the treasurer serves a written notice upon the payee, or his assignee, personally or by mail, that he is prepared to pay such order, such notice may be directed to the payee or his assignee at the address given in writing by such payee or assignee to such treasurer at any time prior to the service of such notice. No order shall draw any interest if such address is not given when the same is unknown to the treasurer. Interest.

All village orders shall be paid in the order that they are now or may hereafter be registered out of the first moneys that come into the village treasurer's hands for such purpose.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 191.

S. F. No. 208.

An act authorizing cities of over fifty thousand inhabitants to set apart any street or avenue or section thereof as a parkway, to regulate and limit the use thereof, and to place the same under the supervision of the Board of Park Commissioners or other public body charged with the management, control or supervision of public parks or parkways with power to acquire building easements.

Cities over 50,000 authorized to vacate streets for parkways.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The common council of any city in this state now or hereafter having a population of over fifty thousand inhabitants, according to the next preceding state or national census, shall have power to set apart any street or avenue or any section thereof as a parkway and to place the same under the supervision of the board of park commissioners or other public body charged with the management, control or supervision of public parks or parkways for such specific and limited purposes of improvement, ornamentation and control, including the establishment of building lines and the acquisition of building line easements, as may be named in the resolution or

Establish building lines, and regulate traffic on such parkways.

ordinance of such common council. And such common council may regulate and limit the traffic and travel upon such street or avenue or section thereof so set apart as a parkway and may prohibit the hauling of heavy loads over or upon the same, or over or upon any part thereof, and may place such other restrictions upon the use thereof and the vehicles permitted thereon as may be necessary and proper to preserve its character as a parkway. *Provided, however,* such common council shall not have power to set aside as a parkway nor to limit the traffic upon any such street or avenue upon and along which any street car line is now located and operated, or which is a direct continuation of and is used in connection with any county road, or to which there are no streets running parallel.

Exceptions.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

S. F. No. 89.

CHAPTER 192.

R

State auditor
authorized to
deed real
estate, in
certain cases.

An act to authorize the state auditor, as ex-officio commissioner of the land office of the State of Minnesota, with the approval of the governor of said state, and of its attorney general, to deed real estate which has become property of the State of Minnesota by escheat.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in any case where any real estate has become the property of the State of Minnesota by escheat, and where said property is encumbered by taxes, special assessments, or other encumbrances, the state auditor of the State of Minnesota as ex-officio commissioner of the land office of the State of Minnesota, with the approval of the governor of said state and of its attorney general, may make, execute and deliver in the name of the State of Minnesota, its deed to any property situated as above described, to the holder or holders of the several encumbrances upon said land for a consideration to be determined by said state auditor as ex-officio commissioner of the land office of the State of Minnesota, and the governor and the attorney general of said state.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 193.

R

H. F. No. 165.

An act regulating the filing and recording of deeds, conveyances, and other instruments relating to real property within newly organized counties, pending proceedings instituted by the state to test the validity of the organization of such counties, and legalizing such records heretofore made.

Filing and record of deeds and other instruments, during pendency of litigation to test organization of new county.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That during the pendency of an action on behalf of the state, to test the validity of the organization of any new county, all deeds, mortgages, powers of attorney and other instruments relating to and affecting real property within the territory of said newly organized county, which by law are required to be filed and recorded in the office of the register of deeds for the county where said real property is situated, may be recorded in the office of the register of deeds for the county in which said real property was situated before the creation of said new county, and such record shall be effectual to all intents and purposes, and of the same force and effect in all respects, for the purpose of notice, evidence, and otherwise, as if said deeds, mortgages, powers of attorney and other instruments were actually recorded in the office of the register of deeds for said newly organized county. And the register of deeds for the county in which real property was situated prior to the creation of said new county is required to admit to record all such conveyances, deeds, mortgages, powers of attorney and instruments when otherwise executed and acknowledged as required by law, *provided* that nothing herein shall be construed to authorize the record of any such deeds, mortgages, powers of attorney or instruments after said proceedings are terminated in any other than the county where the real property affected by said deeds, mortgages, powers of attorney and other instruments is actually situated.

SEC. 2. That in all cases where any deeds, mortgages,

powers of attorney or other instruments conveying or affecting in any manner any interest in or title to real property situated in newly organized counties have been filed and recorded in the office of the register of deeds for the county in which said real property was situated at the time of the creation of said new county, since the creation and organization of said new county, and before the passage of this act, such record is, in all respects, legalized and made valid and effectual, for the purpose of notice, evidence or otherwise, as though the same had been recorded in the office of the register of deeds for the county where said property was actually situated. *Provided*, that nothing herein contained shall in any manner affect the rights or title of any bona fide purchaser without notice for a valuable consideration of any such real estate prior to the passage of this act, and shall not apply to or affect any action or proceedings now pending in any court of this state.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

Handwritten signature
H. F. No. 49. CHAPTER 194.

Enabling municipalities to establish building line easements.

An act to enable municipalities to establish and acquire building line easements along streets, highways, parks and parkways, and defining the nature of such easements.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The common council of any city may establish along any street or highway within such city a building line upon the land adjoining such street or highway, or any portion thereof, and distant not more than fifty feet from the margin of such street or highway, and may, in behalf of the city, acquire an easement in the land between such line and the exterior street line, such that no buildings or structure shall be erected or maintained upon said land. Such easement shall be known as a building line easement.

By purchase, grant or condemnation.

SEC. 2. Such easement may be acquired by the city council by purchase, or by grant, or by condemnation. It may also be created by dedication by indicating such building line upon any town plat hereafter recorded in the

office of the register of deeds of the county where the land lies; and city council shall have power to refuse to accept or approve plats of lands unless building lines are shown thereon.

SEC. 3. Any board of park commissioners having control of any park or parkway may in like manner acquire building line easements along the same, or any portion thereof.

Board of park commissioners may exercise such right.

SEC. 4. The easement above specified may be acquired by proceedings to be conducted in the following manner by the board of park commissioners, in case of parks and parkways controlled by a board of park commissioners, and by the city council in other cases.

Proceedings.

The term "governing body" is used in this and the following sections to designate the appropriate body in any given case, whether the city council, or board of park commissioners. The governing body shall first designate the easement to be acquired and define the lines by which it is bounded, and shall have power to condemn for the use of the public a building line easement as defined above, and when such condemnation shall have been completed, as in this section provided, the title to such easement shall pass to and be vested in the city for the public use. For the purpose of making said condemnation all the tracts of land required for any improvement may be included in the same proceeding.

Governing body may condemn.

Provided, that no such easement shall include or take in any portion of a private residence existing at the time of the passage of this act excepting by purchase or grant.

Exception.

After making the designation the governing body shall proceed in manner following:

SEC. 5. First—The governing body shall appoint five appraisers, who shall be disinterested freeholders and qualified voters of said city, and none of whom shall be residents of the ward or wards in which the property so designated is situated, to view the premises and appraise the damages which may be occasioned by the taking of private property or otherwise in making such improvement.

Appraisers.

Said appraisers shall be notified as soon as practicable by the secretary of the board or the city clerk, as the case may be, to attend at a time fixed by him, for the purpose of qualifying and entering upon their duties. Whenever a vacancy may occur among said appraisers by neglect

or refusal of any of them to act or otherwise, such vacancy shall be filled by the governing body.

Oath of office.

Second—The appraisers shall be sworn to discharge their duty as appraisers in the matter with impartiality and fidelity; and to make due return of their acts to the governing body.

To give notice by publication.

Third—The appraisers shall give notice, by publication in the official newspaper of the city, once a week for two consecutive weeks, which last publication shall be at least ten days before the day of such meeting, which notice shall contain a general description of the lands designated by the governing body, and give notice that a plat of the same has been filed in the office of the city clerk or secretary, as the case may be, and that said appraisers will meet at a place and time designated in the notice, and thence proceed to view the premises, and appraise the damages for property to be taken, or which may be damaged by such improvement, and to assess benefits in the manner hereinafter specified.

Notice served on owners by mailing.

Fourth—The secretary or city clerk shall, after the first publication of such notice, and at least six days (Sundays excluded) prior to the meeting specified in said notice, serve upon each person in whose name each tract or parcel of said land is then assessed, a copy of said notice by depositing the same in the postoffice of said city, with postage prepaid, directed to such person at his place of residence, if known to the secretary, or city clerk, but if not known, then to his place of residence as given in the last published city directory of said city, if his name appears therein.

Notice to person in possession.

After the first publication of such notice, and at least six days (Sundays excluded) prior to the meeting specified in said notice, a copy of the same shall also be served upon the person in possession of each of said tracts or parcels of land, or some part thereof, if the same be actually occupied, in the same manner as provided for the service of summons is a civil action in the district court. A copy of all subsequent notices relating to said proceedings which are required to be published, shall be mailed by said clerk or secretary in the manner above specified, immediately after the first publication thereof, to such persons as shall have appeared in said proceedings and requested in writing that such notice be mailed to them.

Fifth—At the time and place mentioned in the notice, the said appraisers shall meet and thence proceed to view the premises, and may hear any evidence or proof offered by the parties interested, and may adjourn from time to time for the purposes aforesaid. When their view and hearing shall be concluded they shall determine the amount of damages, if any, suffered by each piece or parcel of land of which that taken is a part. They shall also determine the amount of benefits, if any, to each piece or parcel of land of which that taken is a part. If the damages exceed the benefits to any particular piece, the excess shall be awarded as damages. If the benefits exceed the damages to any particular piece, the difference shall be assessed as benefits, but the total assessment for benefits shall not be greater than the aggregate net award of damages; and in every case the benefits assessed upon the several parcels shall be in proportion to the actual benefits received, and no assessment upon any particular piece shall exceed the amount of actual benefits after deducting the damages, of any.

Meeting of
appraisers.
Hear and
determine
damages and
benefits.

Sixth—If there be any buildings standing, in whole or in part, upon any parcel of the land to be taken, the said appraisers shall, in such case, determine the amount of damages which should be paid to the owner or owners thereof, in case such building, or so much as may be necessary, should be taken, and shall also appraise and determine the amount of damages to be paid such owner or owners in case he, or they, shall elect to remove such buildings.

In case of
buildings on
lands.

Seventh—If the land and buildings belong to different persons, or if the land be subject to lease, mortgage or judgment, or if there be any estate less than an estate in fee, the injury or damage done to such person or interests respectively may be awarded to them separately by the appraisers. *Provided*, that neither such award of the appraisers, nor the confirmation thereof by the governing body, shall be deemed to require the payment of such damages to the person or persons named in such award in case it shall transpire that such person or persons are entitled to receive the same.

Land and
building
owned by
different per-
sons, etc.

Eighth—The said appraisers having ascertained and raised the damages and benefits as aforesaid, shall make and file with the secretary or city clerk, as the case may be, a written report of their action in the premises,

Report.

embracing a schedule and appraisalment of the damages awarded and benefits assessed, with descriptions of the lands, and the names of the owners, if known to them, and also a statement of the costs of the proceeding.

Notice.
Governing
board to
meet and
consider re-
port.

Ninth—Upon such report being filed, the secretary of the board or city clerk shall give notice that such appraisalment has been returned, and that the same will be considered by the governing body at a meeting thereof, to be named in the notice, which notice shall be published in the official newspaper of said city, once a week for two consecutive weeks, and the last publication shall be at least 10 days before such meeting. Any person interested in any building standing in whole or in part upon any land required to be taken by such improvement, shall on or before the time specified for said meeting in such notice, notify the governing body in writing of his election to remove such building, if he so elect. The governing body upon the day fixed for the consideration of such report, or at any subsequent meeting to which the same may stand over or be referred, shall have power in their discretion to confirm, revise or annul the appraisalment and assessment, giving due consideration to any objections interposed by parties interested in the manner hereinafter specified, provided that said governing body shall not have the power to reduce the amount of any award, nor increase any assessment. In case the appraisalment and assessment is annulled, the governing body may thereupon appoint new appraisers, who shall proceed, in like manner, as in case of the first appraisalment, and upon the coming in of their report, the governing body shall proceed in a like manner and with the same powers as in the case of the first appraisalment. In case any owner or owners shall elect to remove any building or buildings, and thereby reduce the amount of damages to be paid, the amount of reduction shall be deducted from the benefits assessed to each parcel proportionately before confirmation thereof.

New ap-
praisers.

Awards.

Tenth—If not annulled or set aside, such awards shall be final, and shall be a charge upon the city, for the payment of which the credit of the city shall be pledged. Such assessments shall be and remain a lien and charge upon the respective lands until paid. The awards shall be paid to the persons entitled thereto, or shall be deposited and set apart in the treasury of the city for the use of

the parties entitled thereto, within six months after the confirmation of the appraisal and award. But in case any appeal or appeals shall be taken from the order confirming said appraisal and assessment, as hereinafter provided, then the time for payment of said awards shall be extended until and including sixty days after the final determination of all appeals taken in the proceeding, and in case of any change in the awards or assessment upon appeal, the governing body may, by resolution duly adopted, at any time within sixty days after the determination of all appeals, set aside the entire proceeding. Any awards so set aside shall not be paid, and the proceedings as to the tracts for which the awards are so set aside shall be deemed abandoned. Any awards not so set aside shall be a charge upon the city, for the payment of which the credit of the city shall be pledged. All awards shall bear interest at the rate of six per centum per annum from the time of the filing of the original appraisers' report, and all subsequent awards and awards upon appeals shall be made as of the day and date of filing of such original reports.

Eleventh—Upon the conclusion of the proceedings and the payment of the awards, the several tracts of land shall be deemed to be taken and appropriated for the purpose of this act, and the easement above specified shall vest absolutely in the city in which the lands are situate. In case the governing body shall in any case be unable to determine to whom the damages should in any particular case be paid, or in case of adverse claim in relation thereto, or in case of the legal disability of any person interested, the governing body shall, and in any and every case, the governing body may in its discretion deposit the amount of damages with the district court of the county in which such lands are situate, for the use of the parties entitled thereto, and the court shall, upon the application of any person interested and upon such notice as the court shall prescribe, determine who is entitled to the award, and shall order the same paid accordingly. Any such deposit shall have the same effect as the payment to the proper persons.

Conclusion
and payment
of awards.

Twelfth—In case any owner or owners of buildings, as aforesaid, shall have elected to remove his or their buildings, he or they shall remove them within thirty days from the confirmation of said report, or within such

In case of
removal of
buildings.

further time as the governing body may allow for the purpose, and shall be entitled to the payment of the amount of damages awarded in such case, in case of removal. When such person or persons shall not have elected to remove such buildings, or shall have neglected (after having elected) to remove the same within the time above specified, such buildings, or so much thereof as may be necessary, upon paying or depositing the damages awarded for such taking in manner aforesaid, may be taken and appropriated, sold or disposed of as the said governing body shall direct.

Appeal
from
order of
govern-
ing body.

Thirteenth—Any person whose property is proposed to be taken or interfered with or assessed under any provision of this chapter, and who deems that there is any irregularity in the proceedings of said governing body, or action of the appraisers, by reason of which the award of the appraisers ought not to be confirmed, or who is dissatisfied with the amount of damages awarded to him for the taking of, or interference with his property, or the assessment thereon, may at any time before the time specified for the consideration of the award and assessment by the governing body, file with the secretary of the board or the city clerk, as the case may be, in writing, his objections to such confirmation, setting forth therein specifically the particular irregularities complained of, and the particular objection to the award or assessment, and continuing a description of the property in which he is interested, affected by such proceedings and his interest therein, and if, notwithstanding such objections the said governing body shall confirm the award, or assessment, such person so objecting shall have the right to appeal from such order of confirmation of the governing body to the district court of the county where such land is situate, within twenty days after such order. Such appeal shall be made by serving a written notice of appeal upon the secretary of the board, or the city clerk, as the case may be, which shall specify the property of the appellant affected by such award and refer to the objection filed as aforesaid, thereupon said secretary or city clerk, at the expense of the appellant, shall make out and transmit to the clerk of the district court a copy of the record of the entire proceedings, and of the award of the appraisers as confirmed by the governing body and of the order of the governing body confirming the same, and of the objections filed by

the appellant, as aforesaid, and of the notice of appeal, all certified by said secretary or city clerk to be true copies, within ten days after the taking of such appeal. But if more than one appeal be taken from any award, it shall not be necessary that the secretary or city clerk in appeals subsequent to the first, shall send up anything but a certified copy of the appellant's objections. There shall be no pleading on any appeal, but the court shall determine in the first instance whether there was in the proceedings any such irregularity or omission of duty prejudicial to the appellant and specified in his written objection that as to him the award or assessment of the appraisers ought not to stand, and whether said appraisers had jurisdiction to take action in the premises.

Fourteenth—The case may be brought on for hearing on eight days' notice, at any general or special term of the court, and the judgment of the court shall be to confirm or annul the proceedings, only so far as the said proceedings affect the property of the appellant proposed to be taken or damaged or assessed, and described in said written objection. In case the amount of damages or benefits assessed is complained of by such appellant, the court shall, if the proceedings be confirmed in other respects, appoint three disinterested freeholders, residents of said city, appraisers, to reappraise said damages, and reassess benefits as to the property of appellant. The parties to such appeal shall be heard by said court upon the appointment of such appraisers, and the court shall fix the time and place of meeting of such appraisers, they shall be sworn to the faithful discharge of their duties as such appraisers, and shall proceed to view the premises and to hear the parties interested, with their allegations and proofs pertinent to the question of the amount of damages or benefits; such appraisers shall be governed by the same provisions in respect to the method of arriving at the amount of damages or benefits and in all other material respects as are in this chapter made for the government of appraisers appointed by said governing body. They shall, after the hearing and view of the premises, make a report to said court of their award of damages and assessment of benefits in respect to the property of such appellant. The appellant shall within five days of the notice of filing the award file his written election to remove the building if he so elect. Such election

Hearing,
etc.

shall not affect his right to a review. The award shall be final unless set aside by the court. The motion to set aside shall be made within fifteen days. In case such report is set aside, the court may, in its discretion, recommit the same to the same appraisers, or appoint new appraisers, as it shall deem best; said court shall allow to said appraisers a reasonable compensation for their services, and make such award of costs on such appeal, including the compensation of such appraisers as it shall deem just in the premises, and enforce the same by execution. In case the court shall be of the opinion that such appeal was frivolous or vexatious, it may adjudge double costs against such appellant. An appeal may be taken to the supreme court of the state from any final decision of the district court in said proceedings.

Frivolous
or vexa-
tious ap-
peals.

Maps and
plats to
be made,
filing.

SEC. 6. As soon as such condemnation proceedings have been completed, it shall be the duty of such governing body to cause maps or plats of such improvement to be made, with a list of the parcels of land taken and the amount paid on account of each parcel, and to file one of such maps and list duly certified by the president of the governing body and the clerk or secretary, as the case may be, in each of the following offices, to-wit: the office of the city engineer, the office of the register of deeds of the county, and the office of the city clerk or secretary of the park board, as the case may be; and the same shall be prima facie evidence of the full and complete condemnation and appropriation of such easement for the public use. As soon as the assessments are confirmed, the secretary of the board of park commissioners or the city clerk, or the clerk of the district court, as the case may be, shall transmit a copy thereof duly certified, to the county auditor of the county in which the lands lie. The county auditor shall include the same in the next general tax list for the collection of state, county and city taxes, against the several tracts or parcels of land, and said assessments shall be collected with and as a part of, and shall be subject to the same penalties, costs and interest, as the general taxes. Such assessments shall be set down in the tax books in an appropriate column to be headed, "Building Line Assessments," and when collected a separate account thereof shall be kept by the county auditor, and the same shall

Assess-
ments con-
firmed to
be included
in general
tax lists.

Building
line as-
sessments.

be transmitted to the treasurer of the city, and placed to the credit of the proper fund.

SEC. 7. The governing body shall have power at any time to vacate such building line easement or any portion thereof.

Easements
vacated.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 195.

16

H. F. No. 533.

An act to provide for the release and discharge of executors, administrators and guardians, and for the depositing with the county treasurer of funds belonging to absent heirs, legatees, wards or creditors, or other persons whose whereabouts cannot be ascertained.

Release of
executors,
administra-
tors, and
guardians.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That whenever an executor or administrator shall have fully complied with all the terms and conditions of the final decree of distribution and of all other decrees and orders of the probate court appointing him, and shall have paid over to the distributees named in such final decree of distribution of the said court, all moneys and funds and property to them awarded by such final decree, and when such executor shall have in all other respects fully complied with the terms and conditions of said final decree, and have fully complied with all the orders and decrees of the said court, the court may, upon due notice given, and after full hearing and examination, find such facts, and if it shall appear to the court that the executor or administrator has paid over all moneys to the proper parties, and that he has in all things complied with the orders of the court and the terms of the final decree in the said estate, and that he has in all things, well, faithfully and fully administered his trust as such executor or administrator, the court may enter an order and decree fully discharging the said executor or administrator and the sureties on his bond from all further liability, and from all liability by reason of said trust and by reason of said administration.

On full
compliance
with all
orders of
probate
court, said
court may
order dis-
charge of
executor
or admin-
istrator.

SEC. 2. That whenever any guardian shall have fully complied with all the terms and conditions of the orders

Same as to
guardians.

and decrees of the probate court in the matters of the said guardianship, and shall have paid over and delivered to the persons entitled thereto the property and funds in his hands as such guardian, and whenever such guardian shall in all other respects have fully complied with the terms and conditions of the decrees and orders of said court, the court may, upon due notice given, and after full hearing and examination, find such facts, and if it shall appear to the court that said guardian has paid over all moneys and delivered all property to the proper parties, and has in all things complied with the orders and decrees of said court in the matter of said guardianship, and that he has in all things well, faithfully and fully administered his trusts as such guardian, the court may enter an order and decree fully discharging such guardian, and the sureties on his bond, from all further liability, and from all liability by reason of his said trusts, and by reason of said guardianship.

In case party entitled to portion of estate cannot be found, funds to be deposited with county treasurer.

SEC. 3. Whenever it shall appear to the probate court that any of the parties entitled to a portion of any estate as distributees or legatees, under the final decree of said court, or as creditor of any estate, pending in said court, or any ward under guardianship in said court, cannot be found, or that the whereabouts of such heir, legatee, distributee, creditor or ward cannot be ascertained, and that there are funds in the hands of the executor, administrator or guardian, which funds, under the terms of the final decree of distribution, or under any judgment or decree of said court, should be paid to such heir, legatee, creditor, distributee or ward, whose whereabouts is unknown, then, and in any such case the probate court may, by its order duly entered, require the administrator, executor or guardian to deposit the funds belonging to the said person, whose whereabouts is unknown, with the county treasurer of the county in which such probate court is situate, and the said executor, administrator or guardian shall thereupon deposit said funds with the county treasurer of such county, taking duplicate receipts from the county treasurer therefor, and shall file one of said receipts with the county auditor of the said county, and one in the probate court of the said county. And upon filing said receipts, showing such deposit with the county treasurer, said administrator, executor or guardian shall be discharged of his trust in respect to

such payment, to the same extent as if payment of such sum had been made to such heir, legatee, distributee or ward personally.

SEC. 4. The county auditor shall charge to the county treasurer such sums so paid by any such administrator, executor or guardian, and the same shall be deposited to the credit of the county revenue fund. The county treasurer shall accept and receive such deposits, and credit them to the county revenue fund of his county, and such deposits shall remain in and form a part of the county revenue fund of said county until such time as the probate court, after due and proper showing, and after due notice of hearing given to the county treasurer and the county attorney personally, shall by order of the court direct the county treasurer to pay the same to the person whose whereabouts was unknown, named in such final decree, or to such creditor, distributee or legatee, or to such ward, or to the persons lawfully entitled thereto. A copy of said order shall be filed with the county auditor, who shall issue his warrant upon the county treasurer in favor of the person entitled to the said moneys or funds under the provisions of said order. *Provided*, that if any final decree of the probate court, under which such funds were deposited with the county treasurer is subsequently modified or changed by the said probate court, or by the district court on appeal, the county treasurer shall hold such funds subject to the terms of such modified, changed or amended decree.

Such sums to be credited to county revenue fund until probate court orders otherwise.

SEC. 5. If any heir, ward of creditor, or any person entitled to such funds, under a final decree of distribution, or his heirs or assigns, shall not claim the sums so deposited within twenty-one years from the date when they are so deposited, the same shall belong to and be part of the county revenue fund of the said county. *Provided, however*, that no interest shall at any time be allowed to the claimant for any funds deposited under the provisions of this act.

After 21 years such sums shall become county funds.

No interest allowed claimants.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 491.

CHAPTER 196.

R

Peremptory challenges.

An act to amend section 14 in chapter 116 of the General Statutes of Minnesota for 1878, the same being section 7364 of the General Statutes of Minnesota for 1894, relating to peremptory challenges.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section 14 in chapter 116 of the General Statutes of Minnesota for 1878, the same being section 7364 of the General Statutes of Minnesota for 1894, be and is hereby amended so as to read as follows :

Section 14. If the offense charged is punishable with death, or with imprisonment in the state prison for life, the state is entitled to ten peremptory challenges and the defendant to twenty peremptory challenges. On a trial for any other offense, the state is entitled to three peremptory challenges and the defendant to five peremptory challenges.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby expressly repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 468.

CHAPTER 197.

Bonds issued for construction and management of county jails.

An act to validate and legalize bonds heretofore issued or purporting to have been issued under chapter one hundred and fifty-seven (157) of the General Laws of eighteen hundred and ninety-three (1893), entitled "An act to regulate the construction and management of county jails."

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That all bonds heretofore issued or purporting to have been issued by any county in this state, under chapter one hundred and fifty-seven (157) of the General Laws of eighteen hundred and ninety-three (1893), entitled "An act to regulate the construction and management of county jails," be and the same are hereby validated and legalized in all things, and be and

Legalized.

the same are hereby declared to be valid and binding obligations on the county or counties issuing the same, *providing* that the same shall have been issued in conformity with the provisions of sections twenty-six (26), twenty-seven (27) and twenty-eight (28) of said chapter one hundred and fifty-seven (157) of the General Laws of eighteen hundred and ninety-three (1893).

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 198.

H. F. No. 467.

An act to amend chapter one hundred and fifty-seven (157) of the General Laws of eighteen hundred and ninety-three (1893), being "An act to regulate the construction and management of county jails, and to amend the title of said act."

County
jail and
sheriff's
residence.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the title of chapter one hundred and fifty-seven (157) of the General Laws of eighteen hundred and ninety-three (1893), be amended so as to read as follows:

"An act to regulate the construction and maintenance of county jails, and sheriff's residences, and to provide funds therefor, either by taxation or by the issuance of county bonds."

SEC. 2. That section one (1) of chapter one hundred and fifty-seven (157) of the General Laws of eighteen hundred and ninety-three (1893) be amended so as to read as follows:

Section 1. County commissioners authorized to construct and maintain a jail and sheriff's residence.

County
com'srs
authorized
to construct
and main-
tain.

The county commissioners in every county shall have authority to construct and maintain, at the expense of the county, a jail for the safekeeping of prisoners, and also adjoining and connected with such jail a residence for the use of the sheriff during his term of office.

SEC. 3. That section twenty-six (26) of chapter one hundred and fifty-seven (157) of the General Laws of eighteen hundred and ninety-three (1893), be amended so as to read as follows:

One-half
to county,
one-half to
township.

porated villages and cities, shall be disposed of as follows: One half of said moneys shall be paid into the county treasury and be placed in the county road and bridge fund, and one-half of said moneys shall be paid into the treasury of the township for which such licenses may be issued, to be used for the construction and maintenance of roads and bridges within such township, the same to be expended under direction of the town board.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 365.

CHAPTER 202.

R

Special
school
districts,
division of
and organi-
zation of
independent
districts.

An act providing for the division of certain special school districts within this state, and the organization of independent school districts from such territory.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. Any special school district within this state containing an area of ten congressional townships or more may be subdivided and new independent school districts created from portions of such territory in the manner hereinafter provided; but no new district shall contain more than two congressional townships, nor shall any district created therefrom be so formed as to divide any incorporated village into two or more districts.

Procedure.

SEC. 2. Whenever the people residing in any portion of such special school district shall desire to create an independent school district from a portion of such territory, they shall present to the board of county commissioners of the county in which such school district is situated, a petition signed by a majority of the freeholders residing in the territory proposed to be so organized, asking to be organized into an independent school district, which petition shall be accompanied by a plat showing the metes and bounds of such proposed new district.

Hearing
on appli-
cation.

SEC. 3. Upon presentation to the board of county commissioners aforesaid of a petition and plat, as specified in section two of this act, the said commissioners shall fix a time and place for a hearing on such application, which hearing shall not be less than three weeks from the date of fixing the same, and they shall also cause to be published in the official paper of said county, for two

consecutive weeks, a notice of the application and of the time and place of the hearing thereon; they shall also cause to be furnished to the county superintendent of schools a copy of said petition and plat.

SEC. 4. At the time and place fixed for the hearing on said petition, all persons having an interest for or against the establishment of such independent district, may appear and be heard thereon; if after such hearing the said commissioners deem it for the general good of the schools and cause of education, they shall make an order establishing such independent district, and cause such order together with the petition and plat showing the metes and bounds thereof, to be recorded in the record of their proceedings.

If granted,
to order
established.

SEC. 5. The county superintendent of schools shall within thirty days after receiving the copy of order establishing any such district, cause written notices to be posted in three places within such district, of the time and place where the electors shall meet and elect a board of education for such independent district, at which time they may also transact such other business as may be necessary to the perfect organization and management of such district; such officers shall hold their respective offices until their successors are elected and qualified as now provided by law.

County
superintend-
ents to
give notice
of elec-
tion.

SEC. 6. Districts organized under the provisions of this act shall be governed by the laws now in force relating to independent school districts of this state, all of which is hereby made applicable to districts organized under this act.

District
governed by
present
laws.

SEC. 7. The board of education of any district organized under this act shall have power to provide for the transportation of children to and from the schools at public expense, subject to such rules and regulations as they may adopt, and may require sufficient bonds for the faithful performance of such duty.

Transporta-
tion of
children.

SEC. 8. Districts organized under the provisions of this act shall succeed to all their just rights of property belonging to the original district, including its just share of all public moneys and school funds, and be liable for its equitable share of bonded indebtedness.

Rights and
liabilities
of such
district.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 571.

CHAPTER 203. *R*

Public
printing.

An act to amend section eight (8) of chapter two hundred and sixty-nine (269) of the General Laws of eighteen hundred and ninety-seven (1897), as amended by chapter two hundred and five (205) of the General Laws of nineteen hundred and one (1901), relating to public printing.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section eight (8) of chapter two hundred and sixty-nine (269) of the General Laws of eighteen hundred and ninety-seven (1897), as amended by chapter two hundred and five (205) of the General Laws of nineteen hundred and one (1901), be amended so as to read as follows:

Section 8. The official reports allowable and which the commissioners of public printing may publish under this act are:

Official
reports
which may
be printed.

Annual reports of the state treasurer, railroad and warehouse commission, insurance commissioner, commissioner State Park of the Dalles of the St. Croix, state agricultural society, and the state horticultural society, and the annual report to the governor of the commander of the department of Minnesota, Grand Army of the Republic, and annual reports and publications of the state historical society, and the Minnesota Farmers' Institute annual; *provided*, that the board of administration of said Minnesota farmers' institute shall turn over to said printing commission the account now appropriated by law for the printing of said Minnesota Farmers' Institute annual, and the following biennial reports: Auditor of state, land commissioner, legislative manual, secretary of state, superintendent of public instruction, public examiner, adjutant general, state librarian, commissioner of statistics, bureau of labor, dairy and food commission, boards of pardon and corrections and charities, attorney general, governor's message, and executive documents.

Reports
not paid
for out
of printing
fund.

All reports of boards, commissioners, societies and state institutions not enumerated in this section shall be published by the respective officer thereof to be paid for by the appropriations made for the support of such boards, commissions, societies and state institutions; *pro-*

vided, the said officers shall consult with the commissioners of public printing in order that such reports may be uniform.

The governor, upon reviewing such reports, shall deliver the same to the commissioners of printing; and said commissioners are hereby authorized, in connection with the printing expert, to examine said reports, and shall be empowered to edit and condense such reports as are directed by law to be published, and determine whether any of the reports whose publication is not mandatory may not be published without detriment to the state or to the public; and shall determine the number of copies and the style of binding of each report to be published, except where otherwise specified by law.

Commissioners of printing and printing expert, duties.

In accounting under this act when a charge is allowed for binding, no charge shall be allowed for the folding, collecting, stabbing, stitching, end papers, drying and pressing sheets, or for lettering volumes, but all these items of work shall be deemed to be included in the charge allowed for binding.

Binding, folding, etc.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 204.

R

H. F. No. 305.

An act providing a contingent fund in each county of the State of Minnesota, for the use of the county attorney, for the payment of such expenses as are necessary and not otherwise provided for in the trial and preparation for trial of criminal cases, and in investigations before the grand jury, and providing for the auditing and payment of such expenditures.

County attorney's contingent fund.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The county commissioners of each county in this state are hereby authorized and directed to set apart at their first meeting in January of each year, from any funds then in the county treasury, not specially appropriated or set aside for other purposes, in an amount to be fixed by said board of county commissioners, a sum of money not less than one hundred dollars and not more than one thousand dollars, to be used by the county at-

How created.

torney of each county as a contingent fund for the purpose of defraying such necessary expenses as are not otherwise specifically provided for in the trial and preparation for trial of criminal cases, and in the payment of such necessary expenses as are not otherwise provided for in conducting investigations by the grand jury.

Consent
and ap-
proval of
court.

SEC. 2. The county attorney of each county, by and with the consent and approval first had and obtained of the district court, or any judge thereof, in and for his county, is hereby authorized and empowered to incur the expenses specified in section one (1) of this act, so far as is necessary, to the amount annually appropriated by said board of county commissioners for said purpose.

Disburse-
ments.

SEC. 3. All disbursements from said fund shall be made in the usual manner by the county treasurer of each county upon the warrant of the auditor of each county, which auditor's warrant shall be executed and delivered in an amount, and to the person designated by the order of the county attorney, countersigned by any judge of the district court for that county.

Itemized
and de-
tailed state-
ment of
expenses.

SEC. 4. Before any such approval shall be endorsed upon any such order of any county attorney so applying for the same, it shall be the duty of said county attorney so applying for the same, to present to said judge of the district court an itemized and detailed statement of the expenses, for the payment of which he then makes application, and which statement shall be verified by said county attorney in the usual manner, provided for the verification of claims against the counties of this state.

Verified
statement
to be
filed with
county
auditor.

SEC. 5. Immediately upon such judge of the district court affixing his endorsement to said order of the county attorney, said judge, if in his opinion the public interests will not be prejudiced thereby, and if he be of the opinion that the public interests would be prejudiced thereby, then as much as the public interest will permit, shall file in the office of the county auditor of the county on which said order is drawn, said itemized and verified list so furnished by said county attorney.

Balance
to be
transferred
to general
revenue
fund.

SEC. 6. Any sum remaining in said fund on the 31st day of December of each year shall then be transferred by the county auditor to the general county revenue fund of said county.

Provision
for 1903.

SEC. 7. During the year 1903 the expenses mentioned in section one (1) of this act shall be paid in the man-

ner provided for herein from any funds in the county treasury not specially appropriated or set aside for other purposes.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 205.

H. F. No. 192.

An act to legalize conveyances of real property made by husband direct to wife, and the record of such conveyances.

Conveyance from husband to wife.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That all conveyances of real property within this state made between March 20th, 1898, and March 22, 1898, in which a married man has conveyed real property directly to his wife, shall be and the same are hereby declared to be legal and valid, and the records of all such conveyances heretofore actually recorded in the office of the proper county shall be in all respects valid and legal, and such conveyances and records thereof shall have the same force and effect in all respects for the purpose of notice, evidence or otherwise as are or may be provided by law in regard to conveyances in other cases.

Between March 20, 1898, and March 22, 1898.

Provided, that the provisions of this act shall not apply to any action or proceeding now pending in any of the courts of this state; *provided, further*, that this act shall not be construed to extend to any case where vested rights in any such property have been acquired by third parties.

Does not apply to actions pending. Does not extend where vested rights acquired by third party.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 62.

CHAPTER 206.

Blind
pigs.

An act to amend chapter 252 of the General Laws of 1901, entitled an act to prohibit so-called "blind pigs," and other places and devices for keeping, selling or using intoxicating liquors contrary to law; to abolish the practice of handling intoxicating liquors under false and fictitious names; and to effect the confiscation of intoxicating liquor unlawfully handled, together with the appliances used in such unlawful handling of intoxicating liquors.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 1 of chapter 252 of the General Laws of the State of Minnesota for the year 1901 be amended so as to read as follows:

Every person who shall directly or indirectly keep or maintain, by himself or by associating or combining with others, or who shall in any manner aid, assist or abet in keeping or maintaining any blind pig, or other room or rooms, place or places in which intoxicating liquors are received or kept for unlawful use, barter or sale as a beverage or for unlawful distribution or division among the members of any club or association by any means whatever, within the limits of any township, village, city or county which has voted against granting license to sell intoxicating liquors, or whereby municipal charter or ordinance or by state law the sale of intoxicating liquor is forbidden; and every person who shall receive, barter, sell, assist, or abet another in receiving, bartering or selling any intoxicating liquors so received or kept, and every person who, as agent, or as owner, lets any building or any premises, or any portion of any building or premises, knowing that it is intended to be used for any purpose specified in this section, or any person who permits any building or premises, or any portion of any building or premises, to be so used, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as hereinafter set forth.

SEC. 3. Any acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 207. *R*

H. F. No. 798.

An act providing for the isolation of persons convicted of, or charged with crime, from idle public gaze, by requiring the use of covered vehicles and patrol wagons for their conveyance, and providing penalties for omission to obey the provisions hereof.

Patrol
wagons.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Whenever any public official, or any person acting as such, in the State of Minnesota, in cities having a population of more than 50,000 inhabitants, shall have the care and custody of persons either charged with, or convicted of crime, in transferring said persons from one place of trial, hearing or detention to another such place, or in transferring said persons to a place of trial, hearing or detention, and the said transfer or transfers are made in a public vehicle, or at the expense of the public in any vehicle, it is hereby declared the duty of such public official to provide a closed conveyance for such transfer, wherein said person or persons so transferred shall be safe from the general gaze. Said vehicle shall be closed at the sides, front and rear, with only such apertures as may be necessary for the admission of light and air.

In cities
of over
50,000 to
be closed.

SEC. 2. Any person or persons who shall hereafter transfer any such prisoner or prisoners in any vehicle not so closed from public view, shall be deemed guilty of a misdemeanor under the laws of the State of Minnesota, and shall upon trial and conviction thereof be punished therefor as by law provided.

Misdemeanor.

SEC. 3. This act shall take effect and be in force from and after the first day of February, 1904.

Approved April 14, 1903.

H. F. No. 765.

CHAPTER 208. *R*

Villages.

An act to amend sections twelve hundred (1200) and twelve hundred and one (1201) of the General Statutes of the State of Minnesota of eighteen hundred ninety-four (1894), relating to the incorporation of certain villages.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section twelve hundred (1200) of the General Statutes of the State of Minnesota of eighteen hundred ninety-four (1894), be and the same is hereby amended to read as follows:

Incorporations in certain cases.

Section 1200. Any district, sections, or parts of sections, not in any incorporated village, and in the State of Minnesota, which has been platted into lots and blocks, also the lands adjacent thereto, when said plat has been duly and legally certified according to the laws of this state, and filed in the office of the register of deeds for the county in which said lands or the larger portion thereof lie, said territory containing a resident population of not less than one hundred and forty, may become incorporated as a village under this act in the following manner:

SEC. 2. That section twelve hundred one (1201) of the General Statutes of the State of Minnesota of eighteen hundred ninety-four (1894), be and the same is hereby amended so as to read as follows:

Petition county commissioners to call election.

Section 1201. Twenty-five or more of the electors then residents upon the lands so to be incorporated, may petition the county commissioners of the county in which the whole or larger part of said lands are situated, to appoint a time and place when and where the electors actually residing upon said lands may vote for or against such incorporation, and such petition shall set forth the boundaries of such territory, with their courses and distances, the quantity of land therein embraced, the name of such proposed village, and the number of persons actually residing in said territory, which shall have been duly ascertained by said petitioners, or under their direction, by a census taken of the resident population as it may be on some day not more than eight weeks previous to the time when said petition is presented to said commissioners, and said petition shall be verified by at least

three of said petitioners, to the effect that such census has been accurately taken, and that all the facts in said petition contained are true.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903..

CHAPTER 209.

H. F. No. 706.

An act extending the time within which a board of fifteen freeholders heretofore appointed under the provisions of chapter 351 of the General Laws of Minnesota for 1899 may prepare, frame and return a draft for a proposed charter of an incorporated city.

Cities.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Wherever a board of fifteen freeholders has been heretofore appointed to frame a charter for any incorporated city in this state under the provisions of chapter 351 of the General Laws of Minnesota for 1899 and the several acts amendatory thereof, and such board has failed to return to the chief magistrate of such city a draft of such proposed charter within six months after its appointment, such board may at any time within one year from and after the passage of this act prepare, frame and return in manner as provided in said chapter 351 a draft of such proposed charter; and the same and all of the proceedings of said board relative thereto shall for all purposes be valid and of the same force as though the said draft had been prepared, framed and reported within six months after the appointment of said board.

Extending time in which draft of proposed charter may be framed and returned.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 210.

H. F. No. 682.

An act to authorize county commissioners to grant additional salary to county auditors in certain cases.

County auditors.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in counties having a population of not less than twenty-eight thousand (28,000) inhabitants

Salary in
counties of
less than
28,000.

where the annual salary of the county auditor is arbitrarily fixed by special law at twelve hundred (1,200) dollars or less, the county commissioners may grant such county auditor an additional sum not to exceed six hundred (600) dollars annually.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 171.

CHAPTER 211.

Second
state fish
hatchery at
Glenwood.

An act to locate and establish the second state fish hatchery at or within two miles of the village of Glenwood, in the County of Pope, Minnesota, and to empower, authorize and direct the board of game and fish commissioners of the State of Minnesota to acquire a site therefor and to equip, develop and maintain the same, and to appropriate money therefor.

Be it enacted by the Legislature of the State of Minnesota:

Location
and name.

SECTION 1. That the second state fish hatchery, for the propagation and cultivation of fish, as provided by the laws of this state, shall be and the same is hereby located at, or within two miles of the village of Glenwood, in the County of Pope and State of Minnesota, and the same shall be known as the second state fish hatchery.

Control.

SEC. 2. The said second state fish hatchery shall be subject to the management and control of the board of game and fish commissioners of the State of Minnesota, as now constituted and existing by virtue of the laws of this state.

Commission-
ers author-
ized to
acquire
site and
grounds.

SEC. 3. The said board of game and fish commissioners are hereby authorized, empowered and directed, as soon as practicable after the passage of this act, to acquire by gift, lease, purchase or condemnation in the name of and on behalf of the State of Minnesota, any real property, lands, premises, right of way, or easement, public or private, that may be necessary, convenient or proper for the establishment, equipment and development of said fish hatchery and grounds, and for the purpose of receiving and conducting to and from said hatchery waters necessary or desirable for the use of said hatchery, in such manner as said board of game and fish commis-

sioners may deem best; and in case the owner of any real estate, land or premises and the said board of game and fish commissioners cannot agree as to the value of the premises taken or so to be taken for any such use, the value thereof and the price so to be paid therefor shall be determined by the appraisal of three competent, disinterested persons, residents of said county, commissioned to ascertain and determine the amount to be paid by said board of game and fish commissioners to the owner or person interested; said commissioners to be appointed on application of the said board of game and fish commissioners by the judge of the district court in and for the said County of Pope, according to the provisions of Title one (1), of Chapter thirty-four (34), of the General Statutes of 1878, and amendments thereto, so far as reasonably applicable, which said law shall apply to and govern proceedings under this act.

Provision
for land
appraisers.

SEC. 4. There is hereby appropriated out of the general revenue fund, in the state treasury not otherwise appropriated, the sum of twenty thousand dollars (\$20,000) for the purposes of this act. Ten thousand dollars (\$10,000) of said sum shall be available for the fiscal year ending July 31, 1903, and ten thousand dollars for the fiscal year ending July 31, 1904.

Appropriation,
\$20,000.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 212.

19

H. F. No. 807.

An act to amend section sixty-two (62) of chapter 309 of the General Laws of 1901, an act to appropriate money out of the internal improvement fund, to aid in building bridges and constructing roads in certain counties of this state and repealing certain appropriations heretofore made for the purpose of building bridges, constructing roads or draining lands in certain counties of this state.

Appropriation
for
bridge in
Rice county.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section sixty-two (62) of chapter three hundred and nine (309) of the General Laws of 1901 be amended so as to read as follows:

Section 62. That the sum of two hundred (200) dol-

lars is hereby appropriated out of said fund, to aid in building a steel bridge across the Cannon river, in the town of Warsaw, at the outlet of Cannon lake, in section four (4), township one hundred and nine (109), range twenty-one (21), in Rice county, Minnesota. The work shall be done under the supervision of a committee consisting of Charles Hutchinson and W. C. Blodget, of the city of Faribault, and R. H. L. Jewett of Rice county, Minnesota, and two of said commissioners may act in the premises.

Provided that if the said commissioners find that the sum hereby appropriated is insufficient to build said bridge, they may expend the same in the improvement of the approaches to said bridge and of the road along the north shore of said Cannon lake.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 808.

CHAPTER 213.

Cities of
over 50,000.

An act entitled an act to empower cities now or hereafter having a population of over fifty thousand inhabitants to replace old sidewalks with new walks without any petition therefor by owners of property fronting thereon, and to legalize assessments for the cost thereof heretofore or hereafter made.

Be it enacted by the Legislature of the State of Minnesota:

Authorized
to remove
and replace
sidewalks,
without
petitions.

SECTION 1. That in cities of this state now or hereafter having a population of over fifty thousand inhabitants, when any sidewalk therein becomes old, decayed or worn, and unsafe for public travel thereon, the common council of such city may, by a four-fifths vote of all members elect thereof, and without petition of the owners of any property fronting thereon, order and cause the same to be removed and replaced by a new sidewalk of the same or different material, and cause the necessary cost and expense thereof to be assessed against property benefited by such improvement, the same as for the first and original construction of sidewalks upon any street.

Cost as-
sessed against
property
benefited.

Heretofore
made
legalized.

SEC. 2. That all assessments heretofore or hereafter made by any such city for the construction of new side-

walks, to take the place of walks previously on the same street or streets, which have been ordered without any petition therefor by the owners of property fronting or abutting thereon, be and the same are hereby legalized and made valid and binding to the same extent as if a proper petition therefor had been presented; *provided* that nothing in this act shall affect any action or proceeding now pending wherein the validity of any such assessment is now being contested by any property owner affected thereby.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 214.

R

H. F. No. 898.

An act to provide for payment of expenses incurred in entertainment of President Roosevelt and Admiral Schley, and to appropriate money therefor.

State
appropriation.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the sum of two hundred (\$200), or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury not otherwise appropriated, to pay for decorations and expenses necessarily incurred in receiving and entertaining President Roosevelt and Admiral Schley.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 215.

R

H. F. No. 278.

An act to repeal the first proviso of section 6 of chapter 167 of the Laws of 1901, and also to authorize any and all municipal corporations of less than ten thousand inhabitants operating under a special law or special charter to avail itself of the provisions of chapter 167, Laws of 1901.

Villages.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the first proviso of section six (6) of chapter one hundred and sixty-seven (167) of the

Not applica-
ble to
villages of
less than
10,000, un-
der special
charter.

Laws of 1901, which proviso reads as follows: "Provided, however, that this act shall not apply to any city or village of this state having a population of less than ten thousand operating under a special law or special charter," be and the same hereby is repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 288.

CHAPTER 216.

Legalizing
defective
acknowl-
edgments.

An act to legalize and validate the defective acknowledgment of deeds, mortgages, powers of attorney and other instruments and the record thereof.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any acknowledgment to any deed, mortgage, power of attorney or other instrument heretofore taken before a deputy auditor of any county in this state, under the seal of the county auditor is, together with the record of said deed, mortgage, power of attorney or other instrument, hereby legalized and made as valid and effectual to all intents and purposes, and of the same force and effect in all respects for the purposes of notice, evidence, or otherwise as though said deputy auditor was at the time of taking said acknowledgments expressly authorized by law so to do.

SEC. 2. The provisions of this act shall not affect any action now pending in any court in this state.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 562.

CHAPTER 217.

Drainage.

An act to amend the title of chapter 318 of the General Laws of the State of Minnesota, for the year 1897, entitled "An act entitled, an act to create a board of state drainage commissioners and prescribe its duties."

Be it enacted by the Legislature of the State of Minnesota:

Amends
title of
ch. 318, 1897.

SECTION 1. That the title of chapter 318 of the General Laws of Minnesota for the year 1897 be and the

same is hereby amended by adding at the end thereof the words, "and to prescribe the duties of boards of county commissioners in connection therewith," so that said title when amended shall read as follows:

"An act entitled, an act to create a board of state drainage commissioners and prescribe its duties, and to prescribe the duties of boards of county commissioners in connection therewith." Provided this act shall not apply to anything done or omitted to be done by any board of county commissioners, acting under said chapter 318, prior to the passage of this act.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 218.



H. F. No. 324.

An act to add certain lands to Itasca State Park.

Itasca
State Park.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The west half ($w\frac{1}{2}$) of the west half ($w\frac{1}{2}$) of the west half ($w\frac{1}{2}$) of sections twenty (20) twenty-nine (29) and thirty-two (32), of township one hundred forty-three (143), north of range thirty-five (35) west, situated in Hubbard county in the State of Minnesota, is hereby added to and made a part of Itasca State Park. Said tracts of land are hereby declared to be park property and subject to the operation of all existing laws applicable to said park.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 219.

H. F. No. 379.

An act legalizing the appointment of administrators made without notice in certain cases.

Legalizing
appointment
of adminis-
trators, in
certain cases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Whenever prior to the taking effect of chapter fifty-nine (59) of the General Laws of the State of Minnesota for the year 1901, relating to the appointment without notice of administrators in certain cases,

Neglect to
file oath
and bond
for 90 days
after notice,
and court
appointed
other person.

any person appointed administrator of an estate has neglected for twenty days after being notified of his appointment to file the oath and bond required by law; and the probate court, having jurisdiction of said estate, has in good faith appointed such other person as is next entitled to administer such estate as administrator thereof, without notice, and such other person has filed the oath and bond required by law and has received from said court letters of administration, and has entered upon the execution of his said trust:

Then in all such cases such appointment and letters of administration and all acts done thereunder by said administrator are hereby legalized and confirmed.

Does not
apply to
pending
cases.

SEC. 2. This act shall not be construed to apply to any case now pending which involves the legality of such appointment, or letters, or any acts performed thereunder.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 206.

CHAPTER 220.

R

Title to
real estate
confirmed,
legalized
and de-
termined in
certain cases.

An act to confirm, legalize and determine the title to real estate in certain cases where the boundaries of school districts have been changed and to limit the time for commencing actions concerning the same.

Be it enacted by the Legislature of the State of Minnesota:

Whenever
limits of
school dis-
trict extend-
ed, or por-
tions added
to adjoining
district,
such en-
larged dis-
trict deemed
to have
acquired
title.

SECTION 1. Whenever the limits of any school district, or city or village constituting a common or an independent or special school district, have heretofore been extended so as to include a portion of the territory of any adjoining school district, or whenever a portion of any school district in any way has been added to an adjoining school district, and such enlarged school district has claimed thereby to have acquired title to, or has thereafter assumed to have title to, any real estate within such enlarged territory which was owned at the time of such enlargement by the school district from which such territory was taken, such enlarged district shall be deemed by such enlargement to have acquired title to such real estate and such title is hereby legalized and declared to be in such school district by whatever corporate name

known, its successors and assigns, as fully and effectually as if a specific grant thereof had been made to such enlarged district, unless the school district from which such territory was taken or its successors in interest shall prior to Jan. 1, 1904, commence a civil action to establish its claim to the said real property or an interest therein.

Proviso.

SEC. 2. No action for the recovery of any such real property, or of the possession thereof, or of any interest therein shall be maintained by any school district from which the same was taken or its successors in interest unless such action shall have been commenced prior to Jan. 1, 1904.

Such action to be taken prior to Jan. 1, 1904.

SEC. 3. The term school district in this act shall mean and include all school districts, common, independent or special.

School district defined.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 221.

12

H. F. No. 339.

An act to establish and maintain farmers' institutes in Minnesota, and to appropriate money therefor.

Farmers' institutes.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the sum of eighteen thousand dollars (\$18,000) shall be and is hereby annually appropriated beginning with the fiscal year ending July 31, 1904, for the maintenance of farmers' institutes to be held in the several counties of this state as hereinafter provided.

Appropriations.

SEC. 2. That the average cost of said farmers' institutes to be paid out of such appropriation shall not exceed the sum of one hundred and fifty dollars (\$150), and in such expenditures shall only be included as legitimate and necessary the board and traveling expenses of the instructors and a reasonable compensation for their services. The salary of the superintendent and his traveling and needful expenses, together with the cost of the necessary outfit of models, charts, outlines, etc., and the expenses consequent upon doing preliminary work, preparatory to the holding of these institutes, shall not be included in calculating this average cost.

Average cost.

SEC. 3. It is hereby provided that none of these moneys shall be expended for hall rent, fuel, lights, local

advertising nor compensation for services of instructors other than those regularly employed.

Board
of admin-
istration.

SEC. 4. That a board of administration shall be and is hereby created to superintend the execution of this act, and on and after August 1st nineteen hundred and three (1903) said board shall be constituted as follows:

Three (3) members of the board of regents of the University of Minnesota, to be selected by said board of regents; the president of the state agricultural society, the president of the state dairy association and the president of the state horticultural society.

SEC. 5. Each member of the board of regents, aforesaid, shall hold his office for the period of his regency unless otherwise changed by an act of the board of regents of the University of Minnesota. The president of the said agricultural society shall hold his office for three years from the first day of August nineteen hundred and three (1903), the president of the state dairy association shall hold his office for two years from the first day of August, nineteen hundred and three (1903).

The president of the state horticultural society shall hold his office for the period of one year from the first day of August nineteen hundred and three (1903).

Successors,
president,
secretary.

When the periods of office of the president of the state agricultural society, the president of the state dairy association and the president of the state horticultural society shall have expired, then the presidents of such societies as named who may have been elected as presidents shall become their successors in office to hold such offices for the period of three years, said board of administration may select one of its number as president thereof, and one of their number as secretary.

State super-
intendent.

SEC. 6. This board of administration is hereby empowered by a majority vote thereof to appoint a suitable and competent person as state superintendent of farmers' institutes. The superintendent's term of office shall commence on August first, nineteen hundred and three (1903) and shall continue for two years subject to the discretion of the board of administration.

Board to
arrange an-
nual insti-
tutes, time
and
place of
holding,
audit
accounts.

SEC. 7. The board of administration shall in conjunction with the superintendent arrange the institute circuits to be held annually, determining the times and places where such institutes shall be held during each year, and shall audit the accounts as hereinafter provided.

SEC. 8. The duties of the superintendent of farmers' institutes shall be as follows, viz.: To superintend the several institutes when located as herein provided; to engage competent instructors therefor; to receive, examine and report upon all bills for expenses and services payable from established appropriation; and at the end of each fiscal year to make a detailed report of all farmers' institutes held under his direction with an itemized account of all expenditures under this act during the year last past to said board of administration.

Duties of
superin-
tendent.

Report.

SEC. 9. That the expense of such institutes together with the salary of said superintendent, which is hereby fixed at fifteen hundred (1500) dollars per annum, and the necessary expenses of his superintendence, and all other money named in this act shall be paid out of said institute fund by the state treasurer upon warrants issued by the state auditor, which warrants shall only be drawn upon the certificate of the superintendent of institutes, approved by the president of the board of administration.

Salary and
expenses
paid out
of insti-
tute fund.

SEC. 10. That said board of administration is hereby empowered to act as an auditing board, and shall receive and audit reports and accounts of said superintendent as aforesaid at the close of each fiscal year. Such auditing by said board shall be final. Subsequent to such auditing all vouchers and accounts so approved by said board of administration including the report of the superintendent as called for in this act shall be filed in the office of the state auditor.

Auditing
board.

Vouchers
and report
filed with
state
auditor.

SEC. 11. That said board of administration shall cause to be published annually a hand book of practical agriculture for free distribution among the farmers of this state. Said book shall be called a "Farmers' Institute Annual," and the necessary expenses for such publication shall be met out of the appropriation herein made. All accounts for said annual shall appear in the annual report made as hereinbefore provided.

Farmers'
institute
annual
publication.

SEC. 12. In arranging for such farmers' institutes, they shall be held so far as possible at times and places when most convenient to the farmers of this state; each meeting shall continue for not less than one day nor more than three days, with morning, afternoon and when practicable, evening sessions; each shall be free to the public and each shall consist of practical and instructive lectures upon topics pertaining to the farm and home, with inci-

Institutes
held con-
veniently to
farmers.

Object.

dents and addresses, discussions and illustrations of such methods and practices as possess real merit and are adapted to the conditions of our agriculture; the sole object and purpose of these institutes being to disseminate practical knowledge upon questions pertaining to agriculture, horticulture, stock and dairy farming with the least expense and inconvenience to the people of the state.

Expenditure
prior to
Aug. 1 not
to be con-
strued a
deficiency.

SEC. 13. It is hereby provided that the expenditure of moneys for institute expenses which may be made prior to August first of any fiscal year from a fund already provided as due August first of the fiscal year following shall not be construed as a deficiency fund; provided also that the fund then to be due has already been appropriated by the act of legislature. By this section the needs of the institute's seasons can be met and be made to harmonize with the fiscal year of the state.

SEC. 14. All acts inconsistent with this act are hereby repealed.

SEC. 15. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

II. F. No. 439.

CHAPTER 222.

R

Abandon-
ment of
wife or
children.

An act to prevent the abandonment and neglect of wife or children of persons charged by law with the maintenance thereof; to make such abandonment and neglect unlawful; and to prescribe the punishment therefor.

Be it enacted by the Legislature of the State of Minnesota:

Jurisdic-
tion of
case.

SECTION 1. On complaint being made to any justice of the peace or judge of any municipal court by the wife of any person accusing such person of wilfully omitting without lawful excuse to furnish proper food, clothing and shelter, or suitable care in case of sickness, to his wife or minor child under fifteen years of age, the justice or judge shall take such complaint in writing, under the oath of such wife, and shall thereupon issue his warrant against the person accused, directed to the sheriff or constable of his county, commanding him, forthwith, to bring such accused person before the justice or judge to answer such complaint.

Title of
action.

SEC. 2. The justice or judge shall enter an action in his docket in which the State of Minnesota is plaintiff

and the accused is defendant, and shall make such other entries as are required in criminal actions. On the return of the warrant with the accused the justice or judge shall proceed to examine under it the complainant and such other witnesses as may be produced by the parties respecting the complaint, and such examination shall be reduced to writing by the justice or judge. The accused shall be entitled to removal of such action as in a criminal examination before the justice of the peace.

Examination.

Removal of action.

SEC. 3. If such accused person pays or secures to be paid to the wife complaining such sum of money or other property as the court shall order or as she may agree to receive in full satisfaction, of which order or agreement the justice or judge shall make memorandum upon his docket and shall also pay all expenses and the costs of prosecution and shall also give bond to the State of Minnesota in such sum as the justice or judge shall fix, with sufficient sureties, to be approved by the justice or judge, conditioned that he will furnish such child and wife with the necessary and proper home, food, care and clothing, then the justice or judge shall discharge such accused person.

Accused discharged, when.

SEC. 4. In case any person accused as aforesaid does not comply with the provisions of the preceding sections and there is probable cause for belief that he is guilty as charged in the complaint, the justice or judge shall require such person to enter into recognizance with one or more sufficient sureties to be approved by the justice or judge in a sum of not less than \$100 nor more than \$500, to appear at the next term of the district court for the proper county to answer the said complaint and abide the order of said court thereon; and on his neglect or refusal to give such recognizance the justice or judge shall commit him to jail of the county, there to be held to answer such complaint at the next term of such court; and such justice or judge shall thereupon certify the examination taken before him and return the same and all processes and papers in the case to the clerk of said court.

Bound over to appear at next term of court.

Justice to certify examination to clerk of court.

SEC. 5. If at any time there is any sufficient reason therefor, the court may order a continuance of the cause, and such continuance shall operate to renew the recognizance and the same shall remain in full force until final judgment; *provided that*, if the sureties in the recognizance shall at any term of said court surrender the accused

Continuance of case.

Request
of sureties
for a
discharge.

and request to be discharged such recognizance, or if the court shall for any cause deem it proper, such court may order a new recognizance to be taken and commit the defendant until he gives such new recognizance.

The issue
to be:

SEC. 6. Upon the trial of the action, the issue shall be whether the accused is guilty or not; if he is found guilty or if he admits the truth of the accusation he shall be adjudged to pay such wife or minor child such sums of money and in such manner and at such times as the court may fix and direct.

Disobeyance
of order
of court.

SEC. 7. And if such person shall disobey such order or directions, the court may sequester his personal estate and the rents and profits of said real estate to be applied according to the terms of such order or direction. Or the court, whenever it shall find the fact to be that such person has an income or earnings from any source sufficient to enable him to pay the sum or sums specified in such order or obey such directions and fails so to do, may punish such person for contempt and the court, if it shall have reason to believe that said person can earn sufficient to enable him to pay such sums or obey such order, may cause such person to be confined in the county jail until such person complies with the direction and order of the court, or in the discretion of the court until the said person shall give bond, with good and sufficient sureties, in an amount to be prescribed by the court, conditioned to pay such amount and to comply with the orders and directions of the court, which bonds shall be approved by the court.

Contempt
of court,
punishment.

Wife com-
petent wit-
ness with-
out consent
of husband.

SEC. 8. In all cases brought under the provisions of this act the wife shall be a competent witness against her husband without his consent, and may be subpoenaed and compelled to testify against him.

Ch. 316,
1901, repealed.

SEC. 9. That chapter 316, General Laws of the State of Minnesota for the year 1901, be and the same is hereby repealed.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 223.

H. F. No. 573.

*An act legalizing village bonds in certain cases.*Legalizing
village bonds
in certain
cases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. All instruments heretofore executed or issued by any village of this state purporting to be bonds of such village and to have been issued in pursuance of authority of the legislature of the State of Minnesota authorizing villages to issue bonds for lawful improvements are hereby declared to be binding and valid bonds and obligations of the village issuing them, provided only—

First—That a resolution authorizing the issue of bonds for the purpose or purposes stated in such bonds was adopted by the council of the village issuing the same.

Second—That the legal voters of any such village, at an election held for that purpose, by a majority of all votes cast, voted to issue bonds for the purpose or purposes stated in such bonds.

Third—That the aggregate bonded indebtedness of any such village at the time such bonds were issued and including any and all such bonds did not exceed 15 per centum of the assessed valuation of the taxable property of such village as indicated by the assessment of such property last preceding the issue of such bonds.

SEC. 2. Nothing herein contained shall be construed as legalizing bonds now in litigation.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 224.

H. F. No. 600.

*An act entitled an act fixing the salaries of county attorneys and assistant county attorneys in all counties in the State of Minnesota having a population of one hundred and fifty thousand inhabitants and not more than two hundred thousand inhabitants.*Salary of
county at-
torney and
assistant in
counties of
150,000 to
200,000.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all counties in this state that now have or may hereafter have according to the last com-

pleted state or national census, a population of not less than one hundred and fifty thousand (150,000) and not over two hundred thousand (200,000) inhabitants, the salary of the county attorney shall be and is hereby fixed at four thousand and five hundred (\$4,500) dollars per annum, and in all such counties the salary of the assistant county attorney shall be and is hereby fixed at two thousand seven hundred (\$2,700) dollars per annum, which salaries shall be payable out of the county treasury in equal monthly installments.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 622.

CHAPTER 225.

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99-M - 220
108-NW 958

Sale and
lease of
mineral
lands be-
longing to
state.

An act to amend section one (1) of chapter three hundred and twelve (312) of the General Laws of eighteen hundred and ninety-seven (1897) entitled, "An act to amend section two (2) of chapter one hundred and five (105) of the General Laws of eighteen hundred and ninety-five (1895), entitled, 'An act to amend chapter twenty-two (22) of the General Laws of eighteen hundred and eighty-nine (1889), relating to the sale and lease of mineral and other lands belonging to the State of Minnesota.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one (1) of chapter three hundred and twelve (312) of the General Laws of eighteen hundred and ninety-seven (1897) be and the same is hereby amended so as to read as follows:

Application
to describe
land.

The application for a mineral lease as herein provided shall be in such form as the state land commissioner may prescribe. It shall correctly describe the land desired to be leased, and shall consist of contiguous descriptions, which, in the aggregate, shall not exceed one hundred and sixty (160) acres in any one lease, unless some of the descriptions shall be fractional subdivisions, in which case the acreage may exceed the number above mentioned.

Granting
lease.

Before any lease shall be granted, the applicant shall

pay to the state treasurer the sum of twenty-five dollars (\$25.00), and the first person or corporation making such application, and either tendering the sum of \$25.00 to the state auditor therefor, or paying the sum of \$25.00 to the state treasurer on the order of the state auditor therefor, shall be entitled to receive the lease herein provided for. In case two or more persons shall apply for a mineral lease of the same property at the same time, then the one who will pay the largest sum of money therefor shall be entitled to receive the lease first provided for in this act. Persons applying at the same time shall be construed to mean all persons making applications for a lease upon the same land within the same minute of time, at the office of the state auditor, or all persons who are simultaneously standing in line, or who are in process of advancing, in the auditor's office, and who shall actually advance forthwith and present for filing applications for a lease upon the same property. Separate applications made by the same mail delivery shall also be deemed to be made at the same time and at the moment of delivery.

Application
at same
time.

Provided, that in case two or more applications are received for the same property on the same mail delivery, the state auditor shall fix a time at which said lease will be offered to the highest bidder among such applicants, and at the time so fixed the state auditor shall offer such lease to any of said applicants who will pay the largest sum therefor, such notice to be sent at least ten days before such time to each of such applicants, by registered mail, and the privilege being granted such applicants either to be present in person to bid upon said lease or to submit a bid sent by registered mail to the state auditor accompanied by a certified check for the amount of such bid; *provided further*, that only such bids by mail shall be considered as shall be actually in the hands of the state auditor at the time of offering such lease; *provided further*, that in the event of applications being received by mail at the same time at which personal applications are received for the same property, all persons who have applied at the same time for such property, either in person or by mail, shall receive a notice, as aforesaid, of the time at which the state auditor will offer such lease, and the granting thereof and the proceedings in relation thereto shall be as aforesaid.

Applications
by mail.

It shall be the duty of the auditor to mark upon each

Exact
time of
filing.

Rights
under
lease.

application presented to him the exact time of filing same, and to preserve all of such applications in his office.

The holder of the mineral lease, secured as above provided, shall have the right to prospect for iron ore on the lands embraced therein for the period of one (1) year from the date of issue of said lease, after which period his right to enter and prospect on said land shall terminate under said lease. And no prospecting lease for the same lands shall be issued to the same person for two (2) years in succession.

Ore not to
be removed
until contract
executed.

Provided, that no iron ore shall be removed therefrom until a contract as hereinafter provided shall have been executed.

Prior
right to
contract
defined.

Provided, further, that any person, persons or corporation heretofore holding a lease under the provisions of sections one (1) and two (2) of chapter twenty-two (22) of the General Laws of Minnesota for the year one thousand eight hundred and ninety-nine (1899), or under sections one (1) and two (2) of chapter one hundred and five (105) of the General Laws of Minnesota for the year one thousand eight hundred and ninety-five (1895), on any lands belonging to the state, who, before the expiration of the term of such lease shall have applied to the commissioners of the state land office for a contract as hereinafter or in said chapter provided, or who may hereafter or during the continuance of said original lease make such application, and who, prior to the expiration of such original lease, shall have made payment, or if the same has not yet expired shall hereafter and before such expiration make payment of the amount due therefor to said land commissioner, shall have a prior right to demand and receive from said commissioner the contract hereinafter provided; and it shall be the duty of said land commissioner, and he is hereby directed to execute and deliver such contract to said person, persons or corporation on demand.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 226. *R*

H. F. No. 881.

An act to fix the compensation of judges of the probate court in the State of Minnesota in counties having a population of not less than one hundred and fifty thousand inhabitants and not over two hundred and twenty-five thousand inhabitants.

Compensation of judges of probate in counties of 150,000 to 225,000 inhabitants fixed.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the compensation of judges of the probate court in all counties of this state having according to the then last completed state or national census a population of not less than one hundred fifty thousand inhabitants, and not more than two hundred twenty-five thousand inhabitants, is hereby fixed at the sum of four thousand five hundred dollars per annum, which shall be paid in equal monthly installments out of the county treasury of such counties upon warrants of the county auditor.

SEC. 2. Whenever according to the then last state or national census, the population of any county of this state which now has a population of less than one hundred fifty thousand inhabitants, shall acquire not less than that number, such county shall at once become subject to the provisions of this act, and whenever, according to such census the population of any county shall exceed two hundred twenty-five thousand inhabitants, or fall under one hundred fifty thousand inhabitants, the provisions of this act at the expiration of ninety days from the final filing of the enumeration of such county shall no longer apply thereto.

SEC. 3. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

Exact
time of
filing.

Rights
under
lease.

Ore not to
be removed
until contract
executed.

Prior
right to
contract
defined.

application presented to him the exact time of filing same, and to preserve all of such applications in his office.

The holder of the mineral lease, secured as above provided, shall have the right to prospect for iron ore on the lands embraced therein for the period of one (1) year from the date of issue of said lease, after which period his right to enter and prospect on said land shall terminate under said lease. And no prospecting lease for the same lands shall be issued to the same person for two (2) years in succession.

Provided, that no iron ore shall be removed therefrom until a contract as hereinafter provided shall have been executed.

Provided, further, that any person, persons or corporation heretofore holding a lease under the provisions of sections one (1) and two (2) of chapter twenty-two (22) of the General Laws of Minnesota for the year one thousand eight hundred and ninety-nine (1899), or under sections one (1) and two (2) of chapter one hundred and five (105) of the General Laws of Minnesota for the year one thousand eight hundred and ninety-five (1895), on any lands belonging to the state, who, before the expiration of the term of such lease shall have applied to the commissioners of the state land office for a contract as hereinafter or in said chapter provided, or who may hereafter or during the continuance of said original lease make such application, and who, prior to the expiration of such original lease, shall have made payment, or if the same has not yet expired shall hereafter and before such expiration make payment of the amount due therefor to said land commissioner, shall have a prior right to demand and receive from said commissioner the contract hereinafter provided; and it shall be the duty of said land commissioner, and he is hereby directed to execute and deliver such contract to said person, persons or corporation on demand.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 226.

R

H. F. No. 881.

An act to fix the compensation of judges of the probate court in the State of Minnesota in counties having a population of not less than one hundred and fifty thousand inhabitants and not over two hundred and twenty-five thousand inhabitants.

Compensation of judges of probate in counties of 150,000 to 225,000 inhabitants fixed.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the compensation of judges of the probate court in all counties of this state having according to the then last completed state or national census a population of not less than one hundred fifty thousand inhabitants, and not more than two hundred twenty-five thousand inhabitants, is hereby fixed at the sum of four thousand five hundred dollars per annum, which shall be paid in equal monthly installments out of the county treasury of such counties upon warrants of the county auditor.

SEC. 2. Whenever according to the then last state or national census, the population of any county of this state which now has a population of less than one hundred fifty thousand inhabitants, shall acquire not less than that number, such county shall at once become subject to the provisions of this act, and whenever, according to such census the population of any county shall exceed two hundred twenty-five thousand inhabitants, or fall under one hundred fifty thousand inhabitants, the provisions of this act at the expiration of ninety days from the final filing of the enumeration of such county shall no longer apply thereto.

SEC. 3. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 8.

CHAPTER 227. *R*

Evidence.

An act to amend the first subdivision of section five thousand six hundred and sixty-two (5662) of the General 1894 Statutes of the State of Minnesota, being section ten (10) of chapter seventy-three of the General Statutes of 1866, as amended by chapter seventy-two (72) of the General Laws of 1879, relating to evidence.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the first subdivision of section five thousand six hundred and sixty-two (5662) of the General 1894 Statutes of the State of Minnesota, relating to evidence be and the same is hereby amended so as to read as follows:

Husband cannot testify against wife, or wife against husband without consent of the other.

First—Husband and wife. A husband cannot be examined for or against his wife without her consent; nor a wife for or against her husband, without his consent; nor can either, during the marriage or afterwards, be without the consent of the other, examined as to any communication made by one to the other during the marriage; but this exception does not apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other, nor to an action or proceeding for abandonment and neglect of the wife or children by the husband.

Exceptions.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 251.

CHAPTER 228.

Legalizing acknowledgments of conveyances and record of same by U. S. commissioners.

An act to legalize acknowledgments of conveyances and other instruments, and the record thereof.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That all acknowledgments to any conveyances or other instruments heretofore taken by any commissioner of the circuit court of the United States for the district of Minnesota, or any United States commissioner duly appointed by the district court of the United States for the district of Minnesota, be and the same are hereby legalized and made

of the same validity as though taken before a notary public or other officer authorized to take such acknowledgments in the State of Minnesota, and the records of such conveyances or other instruments are hereby declared to be legal and valid and effectual for all purposes; *provided*, that the provisions of this act shall not apply to any action or proceeding now pending in any court of this state.

Not to
apply to
actions
pending.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 229.

H. F. No. 609.

An act to determine salaries of county treasurers and county auditors in counties of this state having a population of more than seventy-five thousand (75,000) and less than one hundred thousand (100,000), and to determine the amount to be appropriated for clerk hire in the offices of such treasurers and auditors by the county commissioners of such counties.

Salaries
of county
treasurers
and audit-
ors in
counties
of over
75,000 and
less than
100,000, and
clerk hire.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. In each county of this state having at any time a population of more than seventy-five thousand (75,000), and less than one hundred thousand (100,000), as shown by the United States census then last taken, the county treasurer thereof shall receive as annual compensation for his services as such treasurer the sum of three thousand (3,000) dollars, to be paid in the manner and at the times provided by the laws of this state relating to the compensation of county treasurers; and the county auditor of such county shall receive as annual compensation for his services as such auditor the sum of thirty-five hundred (3,500) dollars, to be paid in the manner and at the times provided by the laws of this state relating to the compensation of county auditors.

SEC. 2. The board of county commissioners of such county is hereby authorized to appropriate out of the general funds of such county for paying clerk hire in the office of such county treasurer such sum as they shall deem expedient, not exceeding the sum of nine thousand (9,000) dollars per annum. And such board is also hereby authorized to appropriate out of the general funds of

such county for clerk hire in the office of such county auditor such sum as they shall deem expedient, not exceeding the sum of fifteen thousand (15,000) dollars per annum.

SEC. 3. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 369.

CHAPTER 230. *R*

Tree
bounty.

An act to amend section seven thousand eight hundred fifty-nine (7859), General Statutes of Minnesota, eighteen hundred ninety-four, relating to paying bounty for tree planting.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section seven thousand eight hundred fifty-nine, General Statutes of eighteen hundred ninety-four, be and the same is hereby amended so as to read as follows:

Who en-
titled to
bounty.

SEC. 2. That any person who has heretofore or shall hereafter plant, cultivate and keep in a growing, thrifty condition one acre and not more than ten acres of prairie land with any kind of forest trees, except black locust, and shall plant, or have planted, said trees not more than twelve feet apart each way, and maintain them at that distance by replanting each year any that may die, shall be entitled to compensation at the rate of two dollars and fifty cents per acre for a period of six years. *Provided*, that this act shall not apply to any railroad company planting trees within two hundred feet of its track, nor to any person planting trees in compliance with an act of congress entitled: "An act to encourage the growth of timber on Western prairies," approved March three, eighteen hundred and seventy-three, or any act amendatory thereto; *provided, further*, that this act shall not apply to any person who has received bounty under said section seventy.

Not railroad
companies
nor under
U. S. tree
claim
entry.

SEC 3. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 231. ✓ R

H. F. No. 670.

An act amending section 60 of chapter 2 of the General Laws of the State of Minnesota for the year 1902, the same being an act relating to the taxation of real estate, providing for the penalties relating thereto; the entry of tax judgments, and the sale and disposition of such delinquent real estate; redemption from such sale, and the payment of taxes upon real estate so delinquent.

Real estate taxation.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Section 60 of chapter 2 of the General Laws of the State of Minnesota, for the year 1902, be and the same is hereby amended to read as follows:

Section 60. When refunding in judicial proceedings. When any tax sale is declared void by judgment of court, such judgment shall state for what reason said sale is annulled; and in all cases where any sale has been, or hereafter shall be so set aside for either of the grounds stated in section 58 of this act, the money paid by the purchaser at the sale, or by the assignee of the state on taking the assignment certificate shall, with interest at the rate of seven per cent per annum from the date of such payment, be returned to the purchaser or assignee, or the party holding his right, out of the county treasury, on the order of the county auditor; *provided*, that in all judicial proceedings for refundment, the county, wherein said tax proceedings were had upon which said refundment is asked, shall be made a party defendant.

Refunding in judicial proceedings. ✓

County made a party defendant.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 232. R

H. F. No. 303.

An act to amend chapter three hundred and twelve (312) of the General Laws of nineteen hundred and one (1901) of Minnesota, relating to the names of political parties on the official ballot.

Elections.

03 c 232
93-M. - 178
102-NW 209

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter three hundred and twelve (312) of the General Laws of Minnesota for the year

nineteen hundred and one (1901), entitled "An act relating to the names of political parties on the official ballot," be and the same hereby is amended so as to read as follows:

Names of
political
parties on
official
ballot.

Section 1. That a political party, which at the last preceding general election polled at least 1 per cent of the entire vote cast in the state (the same to be determined by the highest vote cast for its state candidates), and which has heretofore or shall hereafter adopt a party name, shall alone be entitled to the use of such name for the designation of its candidates on the official ballots at any and all elections held in this state, and no other candidate nor party shall be entitled to use or have printed on the official ballots as a party designation any part of the name of such a political party. And in no case shall the candidate of any political party be entitled to be designated upon the official ballot as the candidate of more than one political party, and shall be designated upon the official party ballot in accordance with the certificate of nomination first filed with the proper officers.

Only one
party des-
ignation,
and that
first filed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

H. F. No. 462.

CHAPTER 233.

R

An act to amend section 1 of chapter 215 of the General Laws of 1887, being section 519 of the General Statutes of 1894, relating to temporary loans to pay appropriations from the revenue fund, and pay interest thereon.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 1 of chapter 215 of the General Laws of 1887, being section 519 of the General Statutes of 1894, be amended to read as follows, viz: That the governor, auditor and treasurer are authorized, whenever in their judgment it becomes necessary in order to meet the current demands in the revenue fund for the payment of appropriations from said fund to make agreements or contracts with banks or other corporations or persons, to pay warrants issued by the state auditor against the revenue fund in payment of any claim or demand upon said fund for the payment of which the legis-

Governor,
auditor
and treas-
urer author-
ized to
enter into
contract
with banks
or others
to pay
state audit-
or's war-
rants against
revenue
fund, in
certain
cases.

lature has made or hereafter may make an appropriation, and to pay interest on such warrants until the state treasury can redeem the same at a rate not exceeding five per cent per annum; *provided*, that the amount of such warrants outstanding at any time shall not exceed two hundred and fifty thousand dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

Repealed by Ch. 308-1903
CHAPTER 234.

An act to amend sections 1, 5, 13, 14, 15, 18, 30, 52 and 58 of chapter 237 of the General Laws of the State of Minnesota for 1901, relating to the registration of the title to land in certain counties.

S. F. No. 473.

Registration
of land
titles in
certain
counties.

03 c 234
96-M - 119
104-NW 678

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one (1) of chapter 237 of the laws of the State of Minnesota for the year 1901 be amended to read as follows: "In counties of this state having over seventy-five thousand (75,000) inhabitants the owner of any estate or interest in land therein, whether legal or equitable, may apply as hereinafter mentioned to have the title of said land registered. The application may be made by the applicant personally, or by an agent thereunto lawfully authorized in writing, which authority shall be executed and acknowledged in the same manner and form as is now required as to a deed, and shall be recorded in the office of the register of deeds before the making of the application by such agent. A corporation may apply in its own behalf or by its authorized agent, an infant or any other person under disability by his legal guardian. Tenants in common shall join in the application. The person in whose behalf the application is made shall be named as applicant plaintiff."

Who may
apply for
registration.

SEC. 2. That section five (5) of said chapter 237 is hereby amended to read as follows: "Any number of adjoining pieces of land in the same county and owned by the same person, and in the same right, or any number of pieces of property in the same county having the same chain of title and belonging to the same person, may be included in one application."

More than
one piece
of land
may be
included in
one applica-
tion, when.

Examiners
of titles
and legal
advisers of
registrar.

SEC. 3. That section thirteen (13) of said chapter 237 be amended to read as follows: "The judges of the district court in and for the judicial districts for which they are elected or appointed shall appoint one or more competent attorneys in each county within their district to be examiner of titles and legal advisers of the registrar, and such examiner of titles shall hold office subject to the will and discretion of the judges of the district in which they are so appointed. The compensation of examiner of titles and legal advisers of the registrar in each county shall be fixed by the judges of the district court in and for the district in which the county is situated and shall be paid in the same manner as the compensation of other county employes is paid."

If applicant
a non-resi-
dent, he
shall ap-
point a
resident
agent.

SEC. 4. That section fourteen (14) of said chapter 237 be amended to read as follows: "If the applicant is not a resident of the State of Minnesota he shall record in the office of the register of deeds in and for the county wherein the land is situated a written agreement, duly acknowledged, appointing an agent residing in the state, giving his name in full and postoffice address, and shall therein agree that the service of any legal process in proceedings under or growing out of the application shall be of the same legal effect when made on said agent as if made on the applicant within the commonwealth. If the agent so appointed dies or removes from the state, the applicant shall at once make another appointment in like manner, and if he fails so to do, the court may dismiss the application. In subsequent applications made by the same applicant, he may refer to said written authority, so recorded, *provided* the agreement or authority is sufficiently general to cover the case or cases in which any application is filed."

Application
filed with
clerk of
court, who
shall docket
same.

SEC. 5. That section fifteen (15) of said chapter 237 be amended to read as follows: "The application shall be filed in the office of the clerk of the court, to whom the application is made, and the clerk shall docket the same in a book to be kept for that purpose, which shall be known as the 'Land Registration Docket.' The application shall be entitled (name of applicant), application to have registered the title to (here insert description to the land), plaintiff, against (here insert the names of all persons named in the application as being in possession of the premises, or as having any lien, incumbrance, right,

title or interest in the land, and the names of all persons who shall be found by the report of the examiner hereinafter provided for to be in possession or to have any lien, incumbrance, right, title or interest in the land), also all other persons or parties unknown, claiming any right, title, estate, lien or interest in the real estate described in the application herein, defendants. All orders, judgments and decrees of the court in the case shall be minuted in such docket. All final orders or decrees shall be recorded, and proper reference made thereto in such docket. The applicant shall file with the said clerk, as soon after the filing of the application as is practicable, an abstract of title such as is now commonly used, satisfactory to the examiner who is to examine the title, which said abstract shall be brought down to a date subsequent to the filing of the copy of the application in the office of the register of deeds."

SEC. 6. That section 18 of said chapter 237 be amended to read as follows: "If, in the opinion of the examiner, the applicant has a title, as alleged, and proper for registration, or, if the applicant, after an adverse opinion of the examiner, elects to proceed further, the clerk of the court shall, immediately upon the filing of the examiner's opinion or the applicant's election, as the case may be, issue a summons substantially in the form hereinafter provided for. The summons shall be issued by the order of the court and attested by the clerk of the court. Whenever, in the opinion of the examiner, the State of Minnesota has any interest in or claim upon the land, he shall state the nature and character thereof in his report, and in all cases where the examiner reports that the state has, or may have, some interest in or claim upon the land, it shall be joined as a party in said proceedings and named in the summons as a party thereto, in order that its interest or claim may be defined, protected and preserved. The summons shall be served upon the state by delivering a copy thereof to the attorney general, who shall appear in the proceedings and represent the state therein. The judgment and decree rendered in said proceeding shall adjudicate and determine the interest of the state in said land and its claim upon or against the same."

Summons
issued,
when.

State
joined.

Service
on the
attorney
general.

State's
interest
adjudicated.

SEC. 7. That subdivision one (1) of section thirty (30) of said chapter 237 be amended to read as follows:

Claims which state cannot require to appear of record.

"I. Liens, claims or rights arising or existing under the laws or the Constitution of the United States, which the statutes of this state cannot require to appear of record in the registry."

Owner to execute deeds to be filed with registrar.

SEC. 8. That section fifty-two (52) of said chapter 237 be amended to read as follows: "An owner of registered land conveying the same, or any portion thereof, in fee, shall execute a deed of conveyance which the grantor shall file with the registrar of titles in the county where the land lies. The owner's duplicate certificate shall be surrendered, at the same time, and shall be by the registrar marked 'cancelled.' The original certificate of title shall also be marked 'cancelled.' The registrar of titles shall thereupon enter in the register of titles a new certificate of title to the grantee, and shall prepare and deliver to such grantee an owner's duplicate certificate. All incumbrances, claims or interests adverse to the title of the registered owner shall be stated upon the new certificate or certificates, except so far as they may be simultaneously released or discharged. When a deed in fee is for a part only of the land described in a certificate of title the registrar of title shall enter a new certificate and issue the owner's duplicate certificate to the grantor for that part of the land not conveyed by the deed. The registrar shall require an affidavit by the grantee or some one on his behalf and said affidavit shall set forth the name, age and residence of the grantee, whether the grantee (except in the case of a corporation) is married or not, and if married, the name of the husband or wife.

Certificate cancelled, new certificates.

Adverse interests to be stated in new certificate.

Deed in fee for a part of land.

Affidavit by grantee, contents of.

SEC. 9. That section fifty-eight (58) of said chapter 237 be amended to read as follows: "Whenever a mortgage upon which a mortgagee's duplicate has been issued is assigned, extended or otherwise dealt with, the mortgagee's duplicate shall be presented with the instrument assigning, extending or otherwise dealing with the mortgage, and a memorial of the instrument shall be made upon the mortgagee's duplicate and upon the original certificate of title. When the mortgage is discharged or otherwise extinguished, the mortgagee's duplicate shall be surrendered and stamped 'cancelled.' In case only a part of the charge or of the land is intended to be released, discharged, or surrendered, the entry shall be made by memorial in like manner as before provided, for a release or discharge. The production of the mort-

Mortgagee's duplicate to be presented with assignment.

Duplicate surrendered.

In case of part release.

gagee's duplicate certificate shall be conclusive authority to register the instrument therewith presented."

SEC. 10. That sections 1, 5, 13, 14, 15, 18, 30, 52 and 58 of chapter 237 of the General Laws of the State of Minnesota for 1901, and all acts and parts of acts inconsistent herewith, be and the same are hereby repealed.

Sections
repealed.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

CHAPTER 235.

S. F. No. 355.

An act to authorize cities of over fifty thousand inhabitants to issue and sell their bonds for acquisition of lands for park and parkway purposes and relating to expenditures for park and parkway purposes by such cities.

Cities of
over 50,000
authorized
to issue
and sell
bonds for
acquisition
of lands
for parks.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any city in this state now or hereafter having over fifty thousand inhabitants is hereby authorized to issue and sell its bonds in any amount up to one hundred thousand dollars for the purpose of adding to its funds available for the acquisition of land for park and parkway purposes by purchase or otherwise, any or all of the moneys so acquired, to be subject to expenditure by said city in any one year, or from time to time, as may be deemed advisable; and any balance remaining on hand at the end of any fiscal year to the credit of the park fund of any such city, from whatever source derived, shall be carried forward as an additional appropriation to that fund for the next ensuing year, but moneys derived from the sale of the bonds herein and hereby authorized shall be expended only for the purposes herein expressed.

Not to ex-
ceed \$100,000.

SEC. 2. Any such bonds shall be issued in the following manner, to wit: upon the unanimous request of the board of park commissioners of any such city, its common council may first, by an ordinance passed by a two-thirds vote, authorize the issuance of bonds of such city to run not more than thirty years and to bear interest at not more than four and one-half per cent ($4\frac{1}{2}$) per annum. The principal and interest thereon to be payable at such times and places as may be fixed in and by the

How
issued.

terms of such ordinance, and the bonds to be of such denomination or denominations as may be determined by the common council in such ordinance. All such bonds shall be signed by the mayor and sealed with the seal of the city issuing the same, attested by the city clerk and countersigned by the city controller.

Sale of
bonds.

SEC. 3. Any such bond so issued may be sold by such city at not less than their par value to the highest responsible bidder therefor after a notice published at least once in each week for three consecutive weeks in the official paper of such city.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

H. F. No. 421.

CHAPTER 236.

R

County
road and
bridge
fund in
counties of
150,000 to
200,000.

An act to provide for a county road and bridge fund and regulate the expenditure thereof in counties having a population of one hundred and fifty thousand inhabitants and not more than two hundred thousand inhabitants.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. There shall be established and provided by the county commissioners of all counties which now have or which hereafter may have a population of not less than one hundred and fifty thousand (150,000) inhabitants, and not more than two hundred thousand (200,000) inhabitants, a fund for the construction, improvement, maintenance and repair of roads and bridges in such counties, to be known as the general road and bridge fund, and upon which fund shall be drawn all warrants for the construction, improvement, maintenance and repair of all county and town roads and bridges in such counties that may by the board of county commissioners be from time to time directed, determined or ordered; *provided*, that the board of county commissioners shall not appropriate in any one year more than two hundred (200) dollars for the construction, maintenance and repair of any one town road; and *provided, further*, that nothing in this act shall be considered or construed as relieving the supervisors of the different

towns in said counties from the duty of keeping the county roads in their respective towns in repair as now provided by law.

SEC. 2. The county commissioners of such counties may annually, at the time at their meeting in July, include in the tax levy for such counties, taxes not exceeding one mill on the dollar of the taxable valuation of such counties for the benefit of the road and bridge fund of such counties, and the taxes so levied and collected shall constitute a fund for the construction, maintenance and repair of such county and town roads and bridges in such counties, or any town thereof, as such county commissioners shall by resolution, adopted and entered in their minutes, order and determine, which taxes may be in addition to the amount permitted to be levied for other county purposes.

Tax
levy.

SEC. 3. Such fund shall be expended by the county commissioners in the construction, improvement, maintenance and repair of county and town roads and bridges in the manner hereinafter provided for.

Expended
by county
commis-
sioners.

SEC. 4. Said county commissioners may by resolution designate what work shall be done by contract and invite bids therefor, and such work shall be performed under the supervision of the county surveyor and said board; *provided*, that all roads or bridges work involving the expenditure of over two hundred (200) dollars shall be let by contract to the lowest responsible bidder.

Bids and
contracts,
supervision
of work.

SEC. 5. The county commissioners of such counties shall be allowed and are hereby authorized to expend of the road and bridge fund a sum not exceeding two hundred dollars (\$200) in any one year for the payment of team hire and transportation of said board, in viewing roads and bridges.

Limits
expenditure
of board.

SEC. 6. The county commissioners of such counties may expend such sums of money as they deem advisable in the improvement, construction or repair of any road in any city or village in such county where such road intersects with or forms a continuation of any county road; *provided*, that the expenditures for the purposes mentioned in this section shall not exceed in any one year a total of one-fifth of the entire road and bridge fund raised by taxation for that year.

City, vil-
lage or
county
roads in-
tersecting.

Limits
expenditures.

SEC. 7. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

H. F. No. 245.

CHAPTER 237: *R*

Injurious
insects and
plant
diseases.

An act to prevent the introduction and spread of injurious insects and dangerous plant diseases in the State of Minnesota.

Be it enacted by the Legislature of the State of Minnesota:

State entomologist
charged
with execution of
law.

SECTION 1. The entomologist of the state experiment station is hereby constituted the state entomologist and charged with the execution of this act. He may appoint such qualified assistants as may be necessary, fix a reasonable compensation for their labor, and pay the same; and their acts shall have the same validity as his own; he shall, by himself or his assistants, between the first day of May and the fifteenth day of September, in each year, when requested by the owner or agent, or when he has reasonable ground to believe that any injurious insect pests or dangerous and contagious plant disease exist, carefully examine any nursery, fruit farm or other place where trees or plants are grown for sale, and if found apparently free from any injurious insect pests or dangerous or contagious plant diseases, he shall issue his certificate stating the facts (good for one year unless revoked) and shall collect therefor a fee of five dollars (\$5.00) per day and expenses.

Authorized
to enter
upon
grounds for
purpose of
inspection.

SEC. 2. The state entomologist shall have authority, when requested by the owner or agents, or when he has reasonable grounds to believe any injurious insect pests, or dangerous and contagious plant diseases exist, to enter upon any of the grounds mentioned in section 1 hereof, public or private, for the purpose of inspection, and if he finds any nursery, orchard, garden or other place, infested by any injurious insect pests, or dangerous and contagious plant diseases, he may, by himself or his assistants, enter upon such premises and establish quarantine regulations.

May order
treatment.

If, in his judgment, any insect pests, or dangerous and contagious plant diseases, may be eradicated by treatment, he may, in writing, order such treatment, and pre-

scribe its kind and character. In case any trees, shrubs or plants are found so infested that it would be impracticable to treat them, he may order them burned. A failure for ten days after the delivery of such order to the owner or persons in charge to treat or destroy such infected trees or plants as ordered, shall authorize the entomologist to perform this work by himself or his assistants, and to ascertain the cost thereof. He shall certify the amount of such cost to the owner or person in charge of the premises, and if the same is not paid to him within sixty days thereafter he shall certify the amount thereof to the county attorney, whose duty it shall be to proceed forthwith to collect the same of him in a civil suit, and return the amount so recovered over to the state auditor to reimburse the state for the money expended.

Failure to
obey such
order.

Authorizes
entomologist
to perform
work.

Costs.

SEC. 3. When nursery stock is shipped into the state accompanied by a certificate of inspection by a state entomologist from the state from which the shipment has been made, stating that the stock has been inspected and found to be free from any injurious insect pests, or dangerous and contagious plant diseases, it shall be held prima facie evidence of the facts therein stated, but the state entomologist, by himself or his assistants, when he or they have reason to believe that any such stock is nevertheless infested by any injurious insect pests, or dangerous or contagious diseases, shall be authorized to inspect the same and submit it to like treatment as that provided for in section 2 hereof; and if, by reason of the failure for forty-eight hours of the owners of such stock to comply with the treatment prescribed or to destroy the stock if so ordered, the state entomologist or his assistants are required to perform the work themselves, and it shall be the duty of the entomologist to certify the amount of the cost thereof to the owner or the person in charge of such stock so treated or destroyed, and if the same is not paid to him within ten days thereafter, he shall certify the amount thereof to the county attorney of the county in which the stock may be found in an affidavit, and it shall be the duty of the county attorney to file said affidavit with the village, city or town clerk of the village, city or town in which said stock may be, and the same shall thereupon constitute a lien thereon, which it shall be the duty of the county attorney to proceed to collect forthwith in a civil suit, and to turn

Inspection
certificate
of nursery
stock
prima facie
evidence.

Entomolo-
gist may
nevertheless
inspect.

Costs.

Lien,
collection.

over the amount recovered by him in such suit to the state auditor to reimburse the state for the money expended.

Nursery
stock
shipped
into state
must be
accompanied
by inspection
certificate.

SEC. 4. It shall be unlawful for any person, firm or corporation to bring into the state any trees, plants, vines, cuttings and buds, commonly known as nursery stock, unless accompanied by a certificate of inspection by a state entomologist of the state from which the shipment is made, showing that the stock has been inspected and found apparently free from any injurious insect pests, or dangerous and contagious plant diseases.

Failure to
comply
with law.

SEC. 5. Any person violating or neglecting to carry out the provisions of this act, or offering any hindrance to the carrying out of this act, shall be adjudged guilty of a misdemeanor, and upon conviction before a justice of the peace, shall be fined not less than ten dollars, nor more than one hundred dollars for each and every offense, together with all the costs of the prosecution, and shall stand committed until the same are paid.

Fees and
moneys
collected to
be paid
into state
treasury.

SEC. 6. All fees or other amounts collected or received by any person under the provisions hereof shall be by him forthwith turned into the state treasury to be paid over to the state auditor, to be added to the fund provided for combating injurious insects in Minnesota, and all expenses incurred in enforcing the provisions hereof shall be paid out of said fund.

SEC. 7. This act shall take effect and be in force from and after June 1st, 1903.

Approved April 17, 1903.

CHAPTER 238.

R

H. F. No. 150.

An act relating to the framing of its own charter for its government as a city, by any city incorporated prior to the adoption of Article IV., Section 36, Constitution of Minnesota, of any village desiring to be incorporated as a city, and to the amending of any charter, already or hereafter adopted by any city or any village, for its government as a city, under the provisions of section 36, of Article IV. of the Constitution of Minnesota, and of any Statutes enacted in pursuance thereof.

City
charter.

03 c 238 4
97-M -
105-NW 969
3-1.RA
(n s) 849

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any city incorporated prior to the adoption of Article IV., section 36, Constitution of Minnesota, or any village desiring to be incorporated as a city, may frame a charter for its government as a city, and any such city, or any village, which has already adopted, or may hereafter adopt a charter for its government as a city, under the provisions of section 36 of Article IV. of the Constitution of the State of Minnesota, and of any statutes enacted in pursuance thereof, may amend such charter as in this act provided.

May
frame own
charter
under
certain
conditions.

SEC. 2. The judge or judges of the district court of the judicial district in which such city or village is situated, may, in his or their discretion, appoint a board of fifteen (15) freeholders, whenever such judge or judges shall deem it for the best interests of such city or village so to do, or upon the presentation to him or them of a petition requesting such action signed by at least ten per cent of the legal voters of such city or village, according to the returns of the next preceding election therein shall appoint such board.

Appoint-
ment of
charter
commission.

SEC. 3. The freeholders so appointed, or any who may be appointed to succeed them, or either of them, shall be and for the past five years shall have been qualified voters of such city or village. If a member shall permanently remove from the corporate limits of such city or village, he shall cease to be a member of said board. The members of any such board, whether the same has been already or may hereafter be appointed, shall hold office for a term of four years from the date of its appointment. In case a vacancy shall occur in any

Qualifications
of members.

Removal.

Term.

Vacancy.

such board, whether caused by death, disability to perform duties, resignation, removal from the corporate limits, or expiration of term of office, it shall be filled by appointment in the same mannner as the original board was created. Any person appointed to fill a vacancy caused by the death, disability to perform duties, resignation or removal from the corporate limits of a previous appointee, shall hold office until the expiration of the term of the original appointee to whose place he is appointed. Persons appointed to fill vacancies caused by the expiration of the term of office of previous appointees shall hold office for the term of four years. The board shall always contain its full complement of members, and its members shall receive no compensation for their services.

Term of person appointed to fill vacancy.

Order appointing, to be filed with clerk of court.

Acceptance, oath.

Rules, reports.

Draft of proposed charter to be returned within six months.

Submission to voters.

Any appointment hereafter made to any such board, shall be made by order, to be filed with the clerk of the district court of the county in which such city or village is situated, and appointees shall qualify by filing with such clerk a written acceptance of their several appointments and an oath or affirmation to faithfully perform the duties of such office. Any appointee who shall fail to so qualify within thirty days after the date of the filing of the order of his appointment shall be deemed to have declined such appointment, and the vacancy, so existing, shall be filled in the same manner and with the same effect as though he had resigned.

It shall be the duty of the judge or judges of the district court who appoint such board, to make such rules in reference to such board, and require such reports from such board, as may appear to be desirable or necessary for effectuating the purposes of this act.

SEC. 4. Such board, so appointed, shall within six (6) months after its appointment, return to the chief magistrate of such city or village a draft of the proposed charter, signed by the members of said board, or a majority thereof. Such charter shall be submitted for adoption to the qualified voters of such city or village at the next election thereof, and the lawmaking authorities shall forthwith on the return of such charter to the chief magistrate, as aforesaid, make suitable provision for such submission. The question of its adoption may be submitted either at the next general election or at a special election to be held prior thereto, as such lawmaking

authorities may determine, and whether such election be general or special, it shall be conducted in all respects in the manner provided for such election by the laws of this state. Said lawmaking authorities are hereby empowered to call a special election for the purpose of submitting said charter or it may be submitted at a special election called for any other purpose. Said lawmaking authorities in calling a special election for said purpose are hereby empowered to fix the date for such special election, coincident with the date of a general county or other election, and if this is done, said special election shall be held at the same voting places as said general election, and the election officers for said general election shall act as the election officers for said special election. The ballot to be used at such election shall be prepared as provided by the general election laws of the state and shall have printed upon it this question, "Shall the proposed new charter of the city (or village) of _____ be ratified." Following and to the right of such question shall be printed or written the words, Yes. No. The voter shall indicate his choice by an "X" marked to the right of the "Yes" or "No," according as he is in favor of the ratification of such charter or opposed thereto.

Ballot.

SEC. 5. If four-sevenths (4-7) of the qualified voters, voting at any such election, shall ratify the charter so drafted, returned and submitted, it shall, at the end of thirty days thereafter, become the charter of such city, or village as a city, *provided* that in cities having patrol limits now established, such charter shall require a three-fourths (3-4) majority of the qualified voters voting at such election to change the patrol limits now established.

Four-sevenths vote required to ratify.

Save as herein otherwise specified, on so becoming the charter, it shall supersede any existing charter and amendments thereof.

Three-fourths vote to change patrol limits.

Supersede existing charter.

Such charter or amendments in superseding any previous charter and amendments thereof, or any general law, shall not affect any right, lien or liability accrued, established or subsisting previous to the time when such charter or amendments take effect, nor affect any action or proceeding pending when such right, lien or liability shall be in force, and such action or proceeding shall be carried on in all respects as if such charter or amendments had not taken effect, nor shall any charter, or

Shall not affect any right, lien or liability accrued, nor action pending.

amendments, be in anywise construed as to affect any right or liability acquired or accrued under the previous charter and amendments or general laws superseded thereby on the part of any city or any person or body corporate.

Ordinances in force, not inconsistent, not repealed.

All ordinances, resolutions and regulations in force at the time such charter or amendments take effect, and not inconsistent with the provisions thereof, shall remain and be in force until altered modified or repealed by the law-making authorities of such cities.

All rights, etc., accrued unaffected.

All rights of action, penalties and forfeitures accrued to such city or village before such charter or amendments take effect, shall remain unaffected thereby, and may be prosecuted, recovered and received as fully in every respect as though such charter or amendments had not taken effect.

Liens on real property.

Any lien on real property existing in the State of Minnesota or such city or village, at or before the taking effect of such charter, or amendments thereto, for taxes, or special assessment levied by such city or village, and all right, title or estate acquired by or vested in the State of Minnesota, or any such city or village, by reason of the forfeiture or sale to the state, city or village, of any tract of land, town, city or village lots offered in a public sale for taxes or special assessment levied by such city or village, interest and costs due thereon, and not sold to others, for want of bidders are hereby assigned and transferred to and continued in such city or village, and all lands, town city or village lots forfeited or sold to the state or such city or village, shall, from the taking effect of such charter or amendments thereof be deemed and taken to be forfeited and sold to the state, or such city or village, as the case may be. In all cases where certificates of purchase have at the time such charter or amendments thereof, take effect, been made out in the name of purchasers at any sale for such delinquent taxes or special assessment, the right to redeem any such sale shall not be impaired by anything in this act or any such charter or amendments thereof contained.

Right of redemption not impaired.

Special laws, when excepted in charter, unaffected.

Any existing special law applicable to such city or village, in whole or in part, may be excepted from repeal or modification by provision to that effect in said charter, and if so excepted and recited therein as continuing in force, shall be unaffected by the adoption of such charter.

No local charter, provision or ordinance passed thereunder, shall supersede any general law of the state defining or punishing crimes or misdemeanors.

General
laws not
superseded.

Sec. 6. Such charter, so adopted, may be amended by a proposal therefor made by said board and accepted by the qualified voters of such city or village, in the manner herein provided. Or upon the application of five (5) per cent of the legal voters of any such city or village, by written petition addressed to and filed with such board of fifteen (15) freeholders, such board shall submit to the vote of the people any amendments to such charter endorsed by such application and petition.

Amend-
ments.

Any such proposed amendment, whether the proposal therefor is made by the board itself or on application and petition, as aforesaid, shall, when drafted, be returned by said board to the chief magistrate of such city or village, within thirty days, signed by the members of said board, or a majority thereof, and the law-making authorities of such city or village shall forthwith, on the return of such proposed amendment to the chief magistrate, as aforesaid, make suitable provision for submitting to the qualified voters of such city or village the question of the adoption of such amendment at the next election. Such question may be submitted either at the next general election or at a special election to be held prior thereto, and whether such election be general or special, it shall be conducted in all respects in the manner provided for general or special elections by the general laws of this state. Said law-making authorities are hereby empowered to call a special election for the purpose of submitting such amendment or amendments, or they may be submitted at a special election called for any other purpose. Said law-making authorities in calling a special election for said purpose are hereby empowered to fix the date for said special election coincident with the date of a general county or other election, and if this is done, said special election shall be held at the same voting places as said general election, and the election officers for said general election shall act as the election officers for said special election. The proposal for any such amendment shall be published for at least thirty (30) days prior to such election in three (3) newspapers of general circulation in such city or village. The form of ballot to be used in submitting any such amendment or amendments shall be

Publication.

Ballot.

Three-fifths
vote
required.

prepared as provided by the general election laws of this state, and the general nature of any such proposed amendment, or amendments, shall be briefly indicated thereon. When only one amendment is to be submitted, the ballot shall have printed on it this question: "Shall the proposed amendment to the charter of the city of be ratified?" When more than one amendment is to be submitted, such amendments shall be numbered separately and the ballot shall have printed upon it, as to each amendment: "Shall the proposed amendment to the charter of the city of numbered, be ratified?" Following and to the right of any such question shall be printed the words Yes, No, the one under the other. The voter shall indicate his choice by an "X" marked to the right of the "Yes" or of the "No," according as he is in favor of or opposed to the ratification of any proposed amendment. If any such proposed amendment is accepted by three-fifths (3-5) of the qualified voters of such city or village voting at the election, whether general or special, next following the return thereof to the chief magistrate, it shall become a part of such charter at the end of thirty (30) days after the election at which the same was accepted and ratified, unless the proposed amendment otherwise provides, in which event it shall take effect and be in force only from the date provided for in such proposed amendment. Any and all amendments to any such charter which have heretofore been adopted shall, within ninety (90) days from and after the passage of this act, be duly certified, authenticated, recorded and filed in the same manner as herein provided for certifying, authenticating, recording and filing amendments hereafter made, ratified and accepted; and when so certified, authenticated, recorded and filed (and not otherwise) the same shall be received in evidence by any court of this state.

SEC. 7. In submitting any such charter or amendment thereto to the qualified voters of such city or village, any alternate (alternative) section or article may be presented for the choice of the voters, and may be voted on separately without prejudice to other articles or sections of the charter, or any amendments thereto.

Duplicate
certificates.

SEC. 8. Duplicate certificates shall be made setting forth the charter and ratification thereof, or in case of an amendment or amendments of any such charter proposed and ratified, as herein provided, a certificate in

duplicate wherein shall be set forth every such amendment so proposed and ratified and a recital of the ratification of such amendment shall be made. Said certificates in all cases shall be signed by the chief magistrate of such city or village, and authenticated by its corporate seal. Within ten days after their execution, one of such certificates shall be deposited in the office of the secretary of state and the other, after being recorded in the office of the register of deeds of the county in which such city or village is situated, shall be deposited in the office of the city or village clerk or the corresponding official of such city or village, and all courts shall take judicial notice thereof.

Filing.

SEC. 9. Such charter and its amendments shall always be in harmony with and subject to the constitution and laws of the State of Minnesota. It shall be a feature of all such charters that there shall be provision made among other things, for a mayor or chief magistrate and a legislative body of either one or two houses, and if of two houses, at least one of them shall be elected by general vote of the electors. Subject to these limitations and the limitations otherwise prescribed by this act, such charter and its amendments may provide for any form and scheme of municipal government, and may embrace provisions for the regulation, management, administration and control of all departments of the city government and of all local municipal governmental functions, as fully and comprehensively as could the Statutes of the State of Minnesota had section 33 of article IV. of the constitution not been adopted. But it shall be lawful for such board in framing any such charter or amendment, to omit therefrom provisions in reference to any department which, prior to the framing thereof, is administered under any existing special or general law of this state, and in such event, such department shall continue to be so administered notwithstanding the adoption of such charter. For the economical and proper operation of the government created by such charter, or its amendments, provision may be made therein for methods of procedure and the performance of duties by the courts of the district and officers of the county, in which such city or village is situated, not inconsistent with the provisions of the constitution and statutes of this state, and such courts and officers shall perform the duties so prescribed in this connection.

Charter must be in harmony and subject to laws and state constitution.

Form of government.

Acquisition
of public
parks, li-
braries, etc.

It shall also be lawful for any such city to make provisions in its charter or by amendments thereof for the acquisition and holding by gift, devise, purchase, or by the exercise of the power of eminent domain through condemnation proceedings of property, for public use, either within the corporate boundaries of such city or outside of such corporate boundaries, for public parks, public libraries, cemeteries, penal institutions, hospitals, rights of way for sewers, for uses connected with water supply, for the convenient discharge of any governmental or business function which said city is capable of exercising, or for any other public purpose, and to provide for managing, controlling and policing the same.

It shall not be lawful for any such city or village in such charter, or by amendment thereof, to curtail or add to its territorial limits, except as herein otherwise provided.

Public
franchise.

It shall be lawful for any such city or village, in such charter or by amendment thereof, to provide for regulating and controlling the exercise by any person or corporation of any public franchise or privilege, in any of the streets or public places in such city, whether such franchises or privileges have been granted by said city or said village, or by or under the State of Minnesota, or any other authority, to the same extent, and in the same manner as might the legislature of said state, but no perpetual franchise or privilege shall ever be granted, nor shall any exclusive franchise or privilege be granted or extended unless the question of granting or extending the same shall have been first submitted to the qualified voters of said city, and adopted by a majority voting at such election on the question. In no case shall any franchise or privilege be granted or extended for a longer period than twenty-five years.

Limitation
of bonded
indebtedness.

It shall not be lawful for any such charter or amendments thereof to permit or provide for the issuance of any bonds by any such city, if, by such issue, the aggregate outstanding bonded indebtedness of such city shall be made to exceed ten (10) per cent of the assessed valuation of the taxable property of such city according to the last then preceding assessment for the purposes of taxation, and if any city has over fifty thousand inhabitants at the time of the adoption of such charter, or had over fifty thousand inhabitants at the time of the adoption of any such charter already framed and adopted, it shall not

be lawful for such charter or any amendments thereof to permit or provide for the issuance of any bonds by such city, except bonds issued for the purpose of funding outstanding and maturing bonds, if by such issue, the aggregate outstanding bonded indebtedness thereof shall be made to exceed five (5) per cent of such assessed valuation, unless it is also provided in such charter or amendments that before any bonds in excess of such five (5) per cent limit are issued, the proposition of making any proposed issue shall be first submitted to the legal voters of such city, at a general or special election, and approved by at least a majority of such voters voting on such proposition at such election. But if such charter or amendments thereto shall so provide, certificates of indebtedness or bonds issued by any such city or village prior to the adoption of any such charter, (a) for the creation or maintenance of a permanent improvement revolving fund, or (b) for the purpose of anticipating the collection of general taxes for the year in which they may be issued, or (c) for the purpose of purchasing, constructing, regulating, maintaining, extending, enlarging or improving water and lighting plants, or either of such plants, owned, maintained and operated by such city or village, or for the purpose of acquiring any real or other property needed in connection with any such plant or plants (d) or bonds or securities in any sinking fund maintained by such city or village, shall not be counted as part of the outstanding bonded indebtedness of such city or village for the purpose of determining its authority to issue further bonds under the limitations herein prescribed. And it shall be lawful for any such charter or its amendments to provide that after the adoption of any such charter by any such city or village, any such city may issue certificates of indebtedness or bonds up to any limit such charter or its amendments may prescribe, and without having the proposition of their issue approved by the legal voters of such city, if such certificates of indebtedness or bonds are for any of the following purposes, to wit: (1) for the creation and maintenance of a permanent improvement revolving fund, or (2) for the purpose of anticipating the collection of general taxes for the year in which they may be issued, or (3) for the purpose of extending, enlarging or improving water and lighting plants, or either of such plants, owned main-

Indebtedness not counted as outstanding.

What certificates or bonds may issue without submission to voters.

tained or operated by such city, or for the purpose of acquiring any real or other property needed in connection with such extending, enlarging or improving such plants, or either of them, or (4) for the purpose of paying the lawful floating indebtedness of any such city or village, which floating indebtedness is existing prior to the adoption of such charter, and is not already funded into bonds.

Rejection of
proposed
charter,
new proposed.

SEC. 10. In case of the rejection of a charter proposed by such board, said board may propose a new charter, in the same manner as is above provided, for the submission of the first charter adopted by said board, and such charter so proposed shall be voted on in like manner and with the same effect as is above provided in the case of said first charter, and if adopted may be amended in like manner.

Board
heretofore
appointed
to continue
in office.

SEC. 11. In all cases, where a board has heretofore been appointed under the provisions of section 36 of Article IV. of the Constitution of the State of Minnesota, and of chapter 351, General Laws Minnesota 1899, passed in pursuance thereof, to frame a charter for any city or village, nothing in this act contained shall be construed as abridging or extending the term of office of the members of said board, but they shall continue in office for the period of their original appointment. Nor shall anything in this act contained be construed as amending or changing any charter already adopted by any city, or as affecting the right of any city to continue to be governed by any charter already adopted, but all the provisions of this act shall govern, limit and apply to any proceedings hereafter taken in reference to any charter or amendments thereto framed or proposed or to be framed or proposed by any such board heretofore appointed, or its successors, and shall govern, limit and apply to any such charter or amendments thereto hereafter framed or proposed by such board or its successors.

Charter
heretofore
adopted un-
affected.

Ch. 129,
1901, not
repealed.

SEC. 12. All acts and parts of acts inconsistent with this act are hereby repealed, save that chapter 129, General Laws of Minnesota 1901, is not repealed, or modified hereby.

SEC. 13. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

CHAPTER 239. *R*

H. F. No. 73.

An act to amend section fifty-seven (57) of chapter one hundred and seventy-five (175) of the General Laws of 1895, as amended by chapter one hundred and forty-five (145) of the General Laws of 1901, relating to the giving of surety bonds by certain officers.

Surety
bonds.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section fifty-seven (57) of chapter one hundred and seventy-five (175) of the General Laws of 1895, as amended by chapter one hundred and forty-five (145) of the General Laws of 1901, be and the same is hereby amended so as to read as follows:

"Section 57. Any receiver, assignee, trustee, committee, guardian, executor or administrator, or other fiduciary required by law to give bonds as such, may include as a part of his lawful expenses such reasonable sum paid such company for such suretyship, not exceeding ten dollars (\$10) per annum when the amount of said bond does not exceed one thousand dollars (\$1,000), and not exceeding one-half of 1 per centum per annum for the amount of said bonds when the same exceed one thousand dollars (\$1,000), as the head of the department, court, judge or officer by whom, or the court or body by which he is appointed, allows; and in all actions or proceedings the party entitled to recover costs may include therein such reasonable sum as may have been paid such company for executing or guaranteeing any bond, or undertaking therein; and the treasurer of the State of Minnesota shall be allowed such reasonable sum paid any such company for such suretyship, not exceeding the rate herein above specified, to be paid out of the revenue funds of the state; and the boards of county commissioners of the several counties, and the common council or other governing body of any city, or of any village council or other governing body of any village, the town board or other governing body of any town, and the board of trustees or other governing body of any school district of this state may allow the county, city, village, town, or school treasurer of their respective counties, cities, villages, towns or school districts such reasonable sum paid any such company for such suretyship, not exceeding the rate herein above specified, to be paid out of

What
officers may
include
cost of
surety bond
as part
of lawful
expenses.

the county revenue fund or general revenue fund of such city, village, town or school district; and the officers required by law to approve the bill for the same shall be permitted to designate the surety company that shall execute such bond or bonds. "Provided, that the surety company or companies designated are the lowest responsible bidders. The provisions of this section shall apply to the payment of the expenses for bonds of all of the officers herein named whose term of office begins on and after June 1, 1900; excepting village, town or school treasurers; and as to such village, town or school treasurers, the provisions of this section shall apply to all whose terms of office begin on and after March 1, 1903."

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

H. F. No. 614.

CHAPTER 240.

R

Primary
elections.

An act to amend section twelve (12) of chapter three hundred and forty-nine (349) of the General Laws of eighteen hundred and ninety-nine (1899) as amended by chapter two hundred and sixteen (216) of the General Laws of nineteen hundred and one (1901), an act relating to primary elections.

Be it enacted by the Legislature of the State of Minnesota:

Closing of
saloons.

SECTION 1. That section twelve (12) of chapter three hundred and forty-nine (349) of the General Laws of one thousand eight hundred and ninety-nine (1899) as amended by chapter two hundred and sixteen (216) of the General Laws of one thousand nine hundred and one (1901), be amended so as to read as follows:

Proclamation
by mayor.

Section 12. The provisions of sections sixteen (16), seventeen (17) and eighteen (18) of said general election law relating to liquor and saloons shall apply in like manner to the primary election day, under this act, during all the time that the polls are required to be open, and the said sections are hereby adopted as a part of this act, and the mayor shall make proclamation as to said primary election day in accordance therewith.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

CHAPTER 241.

R

H. F. No. 397.

An act permitting all ex-union soldiers and sailors, honorably discharged from the military or marine service of the United States, the right to vend, hawk and peddle goods, wares, fruits or merchandise not prohibited by law, in any county, town, village, incorporated city or municipality in the State of Minnesota.

Ex-Union
soldiers
and
marines.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That all ex-union soldiers and sailors, honorably discharged from the military or marine service of the United States, shall be permitted to vend, hawk and peddle goods, wares, fruits or merchandise not prohibited by law, in any county, town, village, incorporated city or municipality within this state without a license: *Provided*, said soldier or sailor is engaged in the vending, hawking and peddling of said goods, wares, fruits or merchandise for himself only.

Permitted
to peddle
without
license.

SEC. 2. Upon the presentation of his certificate of discharge to the clerk of any county, town, village, incorporated city or municipality in this state, and showing proofs of his identity as the person named in his certificate of honorable discharge, the clerk shall issue to said ex-union soldier or sailor a license, but such license shall be free, and said clerk shall not collect or demand for the county, town, village, incorporated city or municipality any fee therefor. Any clerk of any county, town, village, incorporated city or municipality in this state who shall violate any of the foregoing provisions of this act, by failing or refusing to comply with such provisions, as herein directed, shall be fined in a sum not less than ten dollars (\$10) nor more than fifty dollars (\$50), to which may be added imprisonment in the county jail not exceeding ten days.

Certificate
of discharge
to be pre-
sented to
clerk.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

H. F. No. 377.

CHAPTER 242.

R

Public
roads and
cartways.

An act to amend section one thousand eight hundred and thirty-two (1832) of the Statutes of Minnesota for eighteen hundred and ninety-four (1894), as amended by the Laws of eighteen hundred and ninety-nine (1899), relating to laying out public roads and cartways.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one thousand eight hundred and thirty-two (1832) of the Statutes of Minnesota of eighteen hundred and ninety-four (1894), be and the same is hereby amended by adding the following proviso at the end thereof: "*Provided, that when the supervisors of any town shall lay out a public road or cartway that shall not be a continuous road extending from one highway to another, the cost of surveying and locating such cartways shall be paid by the town as provided by law for laying out public roads, and one-half of the damages to the land through or upon which said road or cartway shall be laid shall be paid by the person or persons benefited thereby.*"

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

H. F. No. 576.

CHAPTER 243.

Park com-
missioners
in cities
of 10,000
or less.

An act to amend sections one (1) and two (2) of chapter three hundred and three (303) General Laws of Minnesota of nineteen hundred and one (1901), entitled, "An act to authorize the appointment of a board of park commissioners in all cities in this state having a population of ten thousand or less and defining the duties of such board."

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one (1) of chapter three hundred three (303) of General Laws of Minnesota for 1901, be and the same is hereby amended so as to read as follows:

Section 1. The city council of all cities of this state having a population of ten thousand (10,000) or less shall have authority to provide for a board of park commissioners, which board shall consist of as many members as there are wards in said city, and one member at large, said members to be appointed by the city mayor and confirmed by the city council thereof, who shall be appointed in such city and who shall hold their office for the term of two years, except that at the first appointment after such board is authorized, one of the members thereof shall be appointed for the term of one year. Any vacancy occurring in said board of park commissioners by death, resignation or otherwise, shall be filled by appointment by the city mayor and confirmed by the city council for the unexpired term; *provided*, that the provisions of this act shall not apply to any city having a home rule charter, which said charter provides for a park board or board of park commissioners or a park commissioner.

SEC. 2. That section two (2) of chapter three hundred three (303) of General Laws of Minnesota for 1901, be and the same is hereby amended so as to read as follows:

Sec. 2. Such board of park commissioners shall have the charge, management, care and control of all public parks in said city, and shall perform such duties in relation thereto as the city council of said city may from time to time prescribe. All expenditures incurred by said board of park commissioners shall be audited and paid by the city council as other claims against said city are paid. *Provided* said expenditures shall not in any one year exceed a sum equal to a tax of $\frac{1}{2}$ of 1 mill on the assessed valuation of the property of said city.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

H. F. No. 740.

CHAPTER 244.

R

Mutual
hail, tor-
nado, cyclone
insurance
companies.

An act to provide for the re-insurance of the business of any mutual insurance company formed and incorporated under the laws of this state, to insure against loss or damage to property by hail, tornadoes, cyclones and hurricanes, and the consolidation of any such company with any stock company organized under the laws of this state to insure against loss or damage by fire, lightning hail and tempest on land.

Be it enacted by the Legislature of the State of Minnesota :

Re-insurance
and consoli-
dation.

SECTION 1. Any corporation or association organized under the laws of this state for the purpose of insuring against loss or damage by hail, tornadoes, cyclones and hurricanes on land upon the mutual plan, may at any time re-insure its business in and consolidate with any stock company duly organized under the laws of this state for the purpose of insuring against loss or damage by fire, lightning, hail or tempest on land.

To so re-insure its business and consolidate it shall be necessary.

Resolution
by two-thirds
vote.

(1.) That a resolution be passed by a two-thirds vote of the members represented, present and voting at any regular meeting, or at a special meeting called for that purpose, which resolution shall recite with what company or corporation it is proposed to re-insure its business and to consolidate, and the terms and conditions thereof. Thirty days' notice either printed or written shall be previously given to each member of the time and place when such meeting is to be held reciting the purpose thereof, the mailing of such notice to the last known address of the member shall be deemed sufficient notice of such meeting.

Notice of,
to each
member.

Approval of
resolution.

(2.) That a declaration be signed and acknowledged by two of the officers, and a majority of the directors reciting the passage and approval of such resolution, which resolution or a certified copy thereof, shall be filed with and approved by the insurance commissioner before such reinsurance and consolidation shall become effective.

SEC. 2. When such resolution shall have been passed and approved as provided in section 1 of this act and shall have been filed with and approved by the insurance

commissioner it shall be lawful for any such mutual company or corporation to reinsure its business and consolidate with such stock company so designated, and such stock company shall thereupon become liable for all of the contracts and obligations of such mutual company, and shall become possessed of and vested with all of the property and assets of such mutual company so reinsuring and consolidating. *Provided*, that the property and assets of such mutual company shall be kept intact to be used for the protection of the members and policy holders of such company until all of its contracts and obligations have been fully discharged.

Approved by insurance commissioner, lawful to reinsure and consolidate.

Property and assets of mutual company to be kept intact.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

CHAPTER 245.

R

H. F. No. 300.

An act entitled an act to amend section 25 of chapter 175 of the General Laws of 1895, entitled an act to revise and codify the insurance laws of the state.

Insurance code, amendment.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 25 of chapter 175 of the General Laws of the state for the year 1895 be and the same is hereby amended so as to read as follows:

No fire or fire and marine insurance company shall make any conditions or stipulations in its insurance contracts concerning the court of jurisdiction wherein any suit thereon may be brought, nor shall limit the time within which such suit may be commenced to less than two years from the time the loss occurred.

No conditions in contracts concerning court of jurisdiction

Any provisions, contract or stipulation contained in any contract or policy of insurance issued or made by any fire insurance company, association, syndicate or corporation, insuring any property within this state, whereby it is provided or stipulated that the assured shall take out and maintain a larger amount of insurance upon the property than the amount expressed in such policy, or that the insured shall be an insurer of the property insured to any amount or extent, and any provision or stipulation in any such contract or policy to the effect that the insured shall bear any portion of the loss on the property insured,

Void on account of certain conditions.

Liability
of company
in such
case.

On
renewal.

Liability.

Burden of
proof.

Co-insur-
ance.

are hereby declared to be null and void and the liability of the company, syndicate, association or corporation issuing the policy shall be the same as if no such agreement, stipulation or contract were contained in such policy; nor shall any such insurance company insert any condition, stipulation or agreement in any policy of insurance requiring a certificate from any notary public, justice of the peace or other magistrate or person, as to anything whatever connected with such insurance or loss, and any such condition or stipulation shall be void. Any person, company or association hereafter insuring any building or structure against loss or damage by fire, lightning or other hazard by a renewal of a policy heretofore issued or otherwise, shall cause such building or structure to be examined by the insurer or his agent, and a full description thereof to be made, and the insurable value thereof to be fixed by the insurer or his agent, the amount of which shall be stated in the policy of insurance. In the absence of any change increasing the risk, without the consent of the insurer and in the absence of intentional fraud on the part of the insured, in case of total loss the whole amount mentioned in the policy or renewal upon which the insurer receives, a premium shall be paid; and in case of a partial loss the full amount of the partial loss shall be paid, and in case there are two or more policies upon the property, each policy shall contribute to the payment of the whole or the partial loss in proportion to the amount of insurance mentioned in each policy, but in no case shall the insurer be required to pay more than the amount mentioned in the policy; *provided*, that, in the absence of fraud, the burden of proof to show an increase of risk by reason of any change in the ownership or condition of the structure or building upon which insurance is effected, either before or after loss arises, shall be upon the insurer; anything in the application or the policy of insurance to the contrary notwithstanding; *provided, however*, that it shall be lawful for such insurance companies, at the written request of the insured only, to issue, and it may be optional with the assured to accept a policy or contract of insurance containing a co-insurance clause or provision whenever a reduction in the rate for insurance on the property described in such policy is the consideration named for the taking of such co-insurance, and when so requested in writing, of which fact

such writing shall be the only evidence and so accepted, the said co-insurance clause or provisions shall be binding on the assured and on the company issuing such policy; *provided, further*, that the clause herein relating to co-insurance shall in no case apply to dwellings or to farm property, nor shall said clause apply to any risk wherein the total insurance shall be less than twenty-five thousand dollars on any one risk. Except grain elevator and warehouses and contents of same, and any person who solicits insurance and procures the application therefor, shall be held to be the agent of the party thereafter issuing the policy upon such application, or a renewal thereof, anything in the application or policy to the contrary notwithstanding.

Not applicable in certain cases.

Agent.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

CHAPTER 246.

R

H. F. No. 361.

An act to amend section 1537 of the General Statutes of 1894, relating to taxes.

Taxation.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 1537 of the General Statutes of 1894 be and the same is hereby amended so as to read as follows:

Section 1537. The county auditor shall annually provide the necessary assessment books and blanks, at the expense of the county, for and to correspond with each assessment district. He shall make out, in the real property assessment book, complete lists of all lands or lots subject to taxation, showing the names of the owners, if to him known, and, if unknown, so stated opposite each tract or lot, the number of acres and the lots or parts of lots or blocks included in each description of property. The list of real property becoming subject to assessment and taxation every odd-numbered year may be appended to the personal property assessment book. There shall be appended to each personal property assessment book a list of all mortgages, or other real estate securities, held, owned or controlled by the residents of the town or district, showing the names of the owners or agents alpha-

County auditor to provide assessment books and blanks.

Complete lists.

Real estate list.

Lists of real estate securities.

Duty of
register of
deeds.

betically arranged, and the amount due on each separate instrument. It is hereby made the duty of the register of deeds to make out such lists according to the records of his office, and deliver them to the county auditor on or before the last Thursday of April in each year. The expenses of such lists shall be paid by the county, on allowance by the county commissioners. The assessment books and blanks shall be in readiness for delivery to the assessors on the last Thursday of April in each year, and the assessors shall meet on that day, at the office of the county auditor, for the purpose of receiving such books and blanks, and for conference with the auditor in reference to the performance of their duties.

Assessors
meet with
county
auditor
last
Thursday
in April.

SEC. 2. This act shall take effect and be in force from and after Jan. 1, 1904.

Approved April 17, 1903.

H. F. No. 899.

CHAPTER 247.

Court
house and
city hall
in Minne-
apolis.

An act to provide for the care and control of the court house and city hall building erected pursuant to chapter 395 of the Special Laws of 1887.

Be it enacted by the Legislature of the State of Minnesota:

Care of
the munic-
ipal build-
ing com-
mission.

SECTION 1. That from and after the first Monday in January, 1904, all of the completed portions of the Hennepin county and Minneapolis court house and city hall building, erected pursuant to chapter 395 of the Special Laws of 1887, shall be under the exclusive care of a commission of four members, styled "The Municipal Building Commission," which shall be constituted as follows: The chairman of the board of county commissioners of Hennepin county, the mayor of the city of Minneapolis, the auditor of Hennepin county and the treasurer of the city of Minneapolis. The chairman of the board of county commissioners of Hennepin county shall be president of said commission, and the mayor of the city of Minneapolis, vice president thereof. The auditor of Hennepin county shall be the secretary of said commission and as such shall keep the records and accounts thereof. The treasurer of the city of Minneapolis shall be the treasurer of such commission and as such shall keep a correct account of its receipts and expenditures.

President.

Secretary.

Treasurer.

SEC. 2. The commission hereby created shall have the entire care of all the completed portions of said court house and city hall building by whomsoever occupied. It shall have power to assign unassigned rooms in any part of said building, with entire control of any room or rooms in said building not permanently assigned to any official use, and of all halls and corridors and of all boiler and machinery rooms. It shall also have the care and control of all engines, boilers, machinery, elevators and all mechanical and electric appliances of every nature in said building. It shall cause all of the occupied portions of said building to be properly heated, lighted, cleaned and kept in repair for public use, with full authority to appoint any and all employes necessary to properly perform the duties hereby devolved upon such commission, with authority to fix the compensation of such employes and to remove any thereof at pleasure.

Entire
care of
completed
portion.

Nothing herein contained shall be construed to interfere in any manner with the powers and duties of the court house and city hall commission engaged in completing and furnishing said building.

Not to
interfere
with com-
pletion of
building.

SEC. 3. Said commission shall at the beginning of each calender month render a detailed statement to the county auditor of Hennepin county and to the city controller of the city of Minneapolis, respectively, of all its expenses necessarily incurred for the purposes contemplated by this act during the last preceding month in or with reference to portions of said building used or occupied by the county and by the city, respectively, including the proper portions of all expenses rendered for the common benefit of the county and city and properly chargeable to each of such municipalities; whereupon it shall become the duty of the proper officers of said county and of said city to forthwith draw warrants upon their respective treasurers, each for the amount of the account rendered against it by said commission, and it shall be the duty of the treasurer of said municipal building commission to forthwith pay to the parties properly entitled thereto the several amounts specified in said accounts rendered.

Detailed
monthly
statement
to county
auditor and
city con-
troller of
all expenses.

SEC. 4. From and after the first Monday in January, 1904, neither the board of county commissioners of Hennepin county, nor the city council of the city of Minneapolis shall have anything to do with the care of any por-

Authority
of county
commission-
ers and
city council
to cease
after first
Monday in
January, 1904.

tion of the court house and city hall building, nor shall they have anything to do with the control of any portions of said building not specifically assigned for official use.

Estimated
expenses
for the
ensuing
year.

To specify
portion
to be borne
by county
and city.

SEC. 5. It shall be the duty of the municipal building commission to prepare a detailed statement of the estimated expenditures of such commission for the then ensuing year and transmit the same to the board of county commissioners of Hennepin county on or before the first day of July in each year. Said estimate shall specify what portion of the total expenditures of said commission shall be borne by the county and city, respectively, and it shall be the duty of the county commissioners to levy a tax at its proper meeting sufficient to meet the county share of such expenditures. A like estimate shall be transmitted to the city council of the city of Minneapolis on or before the first day of July in each year, and it shall be the duty of the city council to levy a tax at its proper meeting sufficient to meet the city's portion of such expenditures.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

H. F. No. 812.

CHAPTER 248.

Clerks of
court.

An act providing for additional compensation to certain clerks of the district court in this state.

Be it enacted by the Legislature of the State of Minnesota:

When fees
do not ex-
ceed \$1,000,
county com-
missioners
shall pro-
vide for
payment of
difference.

SECTION 1. In all counties in this state in which the fees or compensation of clerk of district court of said county does not exceed the sum of one thousand dollars (\$1,000), the county commissioners shall, when appointed by the judge of district court, provide that there shall be paid out of the county revenue fund of said county to said clerk a sum equal to the difference between the amount of fees so received by him during the preceding year and that said sum of one thousand dollars (\$1,000), and upon the adoption of such resolution the county auditor of such county shall draw his warrant in favor of said clerk of said district court upon the county treasurer of such county for such sum of money so found to be due under the provisions of this bill.

SEC. 2. Any clerk of the district court in any county in this state entitled to compensation under this bill, shall on or before the first day of the regular January meeting of the board of county commissioners of such county file with the county auditor of such county a statement, under oath, of all fees received by him as such clerk during the preceding year and of the compensation or sums of money received by him by virtue of his office, whether such compensation shall be for official work which, as such clerk, he is, under the laws of this state, compelled to perform, or for any other work which he may in any way be authorized to perform by virtue of such office during such year, and no action shall be taken under the provisions of this bill by said board of county commissioners unless such statement, so verified, be filed with such auditor.

Clerk to file statement of fees received during preceding year.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 249.

H. F. No. 702.

An act to provide for the gathering and compilation of official information and material necessary to the preparation of the history of the Minnesota volunteers in the Spanish war.

History of volunteers in Spanish war.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the adjutant general, together with the colonels or senior field officers of the Twelfth, Thirteenth, Fourteenth and Fifteenth regiments of infantry, Minnesota volunteers, respectively, who (except the adjutant general) held the positions above named when mustered in the service of the United States for war with Spain, and who are now residents of the State of Minnesota, shall constitute a board of five commissioners under this act, and shall meet and organize as such, at the call of the adjutant general, as soon as practicable after the passage of this act.

SEC. 2. Said board shall gather, compile and edit the information and material necessary for the preparation of an official historical narrative of the services of each of said regiments while in the service of the United States

Board to compile and edit.

Title of
history.

during the war with Spain and up to the time of their muster out, including a complete roster of each organization and such other official information as the commissioners may deem pertinent thereto, the same to be prepared in a single volume entitled "Minnesota in the Spanish War, 1898-1899," suitable for publication as a companion volume to volumes I. and II. of "Minnesota in the Civil War, 1861-1865." When said commission has completed its work, said commissioners shall attach a certificate thereto to the effect that the narrative of the organization and services of the respective organizations of Minnesota troops therein contained has been examined by them and found conformable with the facts, and thereupon said commission will deposit said manuscript, properly bound, in the office of the adjutant general for safe keeping.

Compensa-
tion of
editor.

SEC. 3. No compensation shall be allowed said commissioners for services as such under this act, but they shall have authority to employ, at a reasonable compensation to be determined by them, one of their number or some other competent person or persons to discharge the duty and do the work of editing and preparing the said work, and may incur such other expenses as may be necessary to the discharge of their duties under this act.

Appropriation.

SEC. 4. For the purpose of carrying out the provisions of this act the state auditor shall, from the net proceeds of the various Spanish war claims of the State of Minnesota against the United States, when collected, set aside the sum of twenty-five hundred dollars (\$2,500), or so much thereof as may be necessary, for the use of the commission created by section one (1) of this act, to be disbursed upon vouchers approved by the chairman of said commission and upon the warrant of the state auditor on the state treasurer.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 250. *R*

H. F. No. 458.

An act authorizing boards of county commissioners to pay for copying neglected records in the office of the judge of probate in certain cases.

Probate records.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That when any judge of probate has heretofore neglected to keep the books of record required by law, and a later incumbent of the same office has repaired the neglect of his predecessor, and has made, or caused to be made, the necessary entries in the register of said office, and has recorded, or caused to be recorded, all wills, bonds, letters testamentary or of administration or guardianship, all claims, orders, decrees, judgments, and other papers required by law to be recorded in said office, and which should have been recorded by his said predecessors but were not, then and in that event, the board of county commissioners of said county is authorized to pay such fees for said services in improving the condition of said records, by making such entries and copying such records, as aforesaid, as may seem reasonable and just, but not to exceed seven (7) cents per folio;

Judge having neglected to keep records.

Provided, however, the board of county commissioners shall not be authorized to allow any claim on the part of any judge of probate for work in recording and copying instruments and papers which may have been filed in connection with any estate or any matter, during any term said judge of probate may have been in office. That hereafter the county shall not be liable for the payment for such work without the county commissioners shall order the same to be done.

SEC. 2. (This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

H. F. No. 664.

CHAPTER 251. *R*

Submission
of constitu-
tional amend-
ments, and
other ques-
tions to
vote.

An act to provide for placing questions relating to amendments of the constitution, constitutional conventions and all other questions and propositions submitted to the vote of the people throughout the state on a separate ballot.

Be it enacted by the Legislature of the State of Minnesota :

One sepa-
rate pink
colored
ballot.

SECTION 1. All questions relating to the amendment of the constitution, constitutional conventions and all other questions or propositions submitted at any election to the electors throughout the state shall be printed on one separate pink colored ballot, shall be prepared, printed and distributed under the direction of the secretary of state, at the same time and in the same manner as other state ballots. Such ballots, when voted, shall be deposited in a separate ballot box painted in a pink color, to be procured by the local authorities at each voting precinct. Such ballot shall be canvassed, counted and returned and the result thereof declared in the same manner as other state ballots. The person under whose direction tally sheets and blanks for election returns are printed shall print such tally sheets and blanks for election returns in such manner as to provide appropriate spaces and columns for counting, canvassing and making proper returns for the question so placed on such pink colored ballot.

Separate
ballot box.

Canvass and
returns.

Laws in-
consistent
repealed.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

H. F. No. 272.

CHAPTER 252. *R*

Superin-
tendent of
public in-
struction.

An act to fix the salary of the state superintendent of public instruction.

Be it enacted by the Legislature of the State of Minnesota :

Salary.

SECTION 1. The salary of the superintendent of public instruction for the year 1903, beginning with the month of January thereof and annually thereafter, is hereby

fixed at three thousand dollars, to be paid in monthly installments.

SEC. 2. Section 3 of sub-chapter 2 of chapter 74 of the General Laws of Minnesota for the year 1877, being section 3,720 of the General Statutes of 1894, in so far as it relates to the annual compensation of the superintendent of public instruction, is hereby repealed.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 253.

H. F. No. 422.

An act providing for the taxation of railroad properties, the collection of such taxes and repealing acts inconsistent therewith.

Taxation
of railroad
properties.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Every railroad company owning or operating any line of railway situated within, or partly within, this state, shall during the year 1905, and annually thereafter pay into the treasury of this state in lieu of all taxes and assessments upon all property within this state, owned or operated for railway purposes by such company, including equipment, appurtenances, appendages and franchises thereof, a sum of money equal to four (4) per cent of the gross earnings derived from the operation of such line of railway within this state; and the annual payment of such sum shall be in full and in lieu of all other taxes and assessments upon the property and franchises so taxed. The lands acquired by public grant shall be and remain exempt from taxation until sold or contracted to be sold, or conveyed, as provided in the respective acts whereby such grants were made or recognized.

Four per
cent of
gross
earnings.

Land
grants,
exempt,
until sold
or contract-
ed to be.

SEC. 2. The term "the gross earnings derived from the operation of such line of railway within this state," as used in section 1 of this act is hereby declared and shall be construed to mean, all earnings on business beginning and ending within the state, and a proportion, based upon the proportion of the mileage within the state to the entire mileage over which such business is done, of earnings

Gross
earnings
defined.

on all interstate business passing through, into or out of the state.

SEC. 3. All acts and parts of acts not inconsistent herewith regulating the payment, collection, time of payment, enforcement or reports involving the amount of taxes upon the gross earnings of railroad companies within this state, or providing penalties for the non-payment of such taxes, are hereby made applicable to this act so far as may be; and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Enforced
payments.

SEC. 4. Upon failure to pay the amount of such taxes legally due upon the date heretofore provided by law for the payment thereof, in addition to existing remedies, collection may be enforced in a civil action brought in the name of the State of Minnesota in the district court of any county.

Contesting
validity of
this act.

SEC. 5. Before any railroad company shall be heard to contest or continue to contest the validity of this act or any part thereof, such railroad company shall as a condition precedent thereto, pay into the treasury of the State of Minnesota, the amount of taxes due or payable from such railroad company under the existing tax laws of this state applicable to such company.

Submission
to voters.

SEC. 6. This act shall be submitted to the people of this state for their approval or rejection at the next general election for the year 1904.

Ballot.

The secretary of state shall cause to be printed in bold type upon the ballot used in voting for state officers or upon a separate ballot, if so provided by law at the said election, in manner conformable with the requirements of the general election law, the words, "For increasing the gross earnings tax of railroad companies from three to four per cent.

Yes
No"

And each voter voting at such election shall designate his vote by a cross mark made opposite one or the other of the words "Yes" or "No" and the said elector shall in all respects, conform, as far as may be, to the requirements of the general election law, and the returns of said election shall be made, canvassed and certified, and the results thereof declared in the manner provided by law for returning, certifying and canvassing votes cast for state officers.

Return and
canvass.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 254.

H. F. No. 58.

An act with reference to assessments for building sidewalks in cities of over fifty thousand (50,000) inhabitants.

Cities of
over 50,000.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. In case any city in this state, of over fifty thousand (50,000) inhabitants, has constructed or caused to be constructed any sidewalk upon or along any public highway therein, without such sidewalk having been first petitioned for, the assessments therefor, whether heretofore made or hereafter to be made, are hereby declared to be as valid as though the building of such sidewalks had been petitioned for as required by the governing law of such city.

Sidewalks.

SEC. 2. The provisions of this act shall not affect any action now pending in any court in this state.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 255.

H. F. No. 371.

An act to amend section eight (8) of chapter three hundred eleven (311) of the General Laws of 1897, entitled "An act to amend and consolidate the several acts relating to court commissioners; to define the powers and jurisdiction of, and to regulate actions and proceedings before such officers."

Court com-
missioners.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section eight (8) of chapter three hundred eleven (311) of the General Laws of 1897 is hereby amended to read as follows:

Court commissioners for services mentioned in this act in actions or proceedings pending in the district court, shall be allowed the following fees:

For examining any petition, complaint, affidavit or any paper wherein an order is required, one (1) dollar.

Fees.

For making and entering an order on the same, fifty (50) cents. For passing and deciding on the return of a writ of habeas corpus, three (3) dollars for each day necessarily occupied in the hearing of the same. For each examination for the commitment of insane persons the sum of five dollars (\$5.00). For all examinations of judgment debtors in proceedings supplementary to execution and for all disclosures in garnishment proceedings committed in writing at the rate of fifteen (15) cents per folio of one hundred words so committed to writing. For all other services rendered by them, the same fees as are allowed by law to other officers for similar services.

SEC. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act to take effect and be in force from and after Jan. 1st, 1905.

Approved April 17, 1903.

H. F. No. 794.

CHAPTER 256. *R*

Limited
partnership.

An act amending chapter 30 of the general statutes of 1866, relating to limited partnership.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section twelve of chapter thirty of the general statutes of 1866 (the same being section 2341 of the general statutes of 1894) be and the same is hereby amended so as to read as follows:

Dissolution
defined.

Sec. 12. Every alteration which is made in the names of the parties, in the nature of the business, or in the capital or shares thereof, or in any other matter specified in the original certificate, shall be deemed a dissolution of the partnership; and every such partnership which in any manner is carried on after any such alteration is made, shall be deemed a general partnership unless renewed as a special partnership according to the provisions of the last section; *provided, however*, anything in this chapter to the contrary notwithstanding, that any alteration heretofore or hereafter made by death in the membership of a limited partnership established under the provisions of this chapter, shall not be deemed to be and shall not work a dissolution of such partnership, in any case where the contract under which it was formed provides

General
partnership.

Death not
deemed to
be and
shall not
work a
dissolution,
in certain
cases.

to the effect, that the business thereof shall or may be carried on after any such death or deaths by one or more of the surviving general partners, during or until the end of the period of duration specified in the original certificate of its formation; and that in any and every such case the carrying on of such partnership or the business thereof, after an alteration in the membership thereof so caused, shall not operate to convert said limited partnership into a general partnership, nor to create or establish a partnership between the surviving general and special partner or partners thereof; nor shall any surviving special partner, or the estate of any deceased special partner become or be liable for any debt or debts hereafter contracted in so carrying on said partnership or its business in any such case; and *provided further* that it shall be competent and lawful to provide in a contract for the formation of a limited partnership under the provisions of this chapter, that the partnership business shall or may be carried on by the surviving general partner or partners after the death of any one or more of the general or special partners therein, and until the expiration of the period specified in the original certificate of its formation; and that all such contracts heretofore or hereafter made are hereby confirmed and made valid and binding on all the parties thereto.

Liability
as to
special
partners.

Surviving
general
partners.

SEC. 2. This act shall take effect and be in force from and after its passage and approval.

Approved April 18, 1903.

CHAPTER 257.

R

H. F. No. 748.

An act to amend section four (4) of chapter one hundred and seventy-six (176) General Laws of 1897; being an act to provide against the manufacture, adulteration or sale of spices and condiments; to prevent fraud and preserve the public health.

Adulterated
spices.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section four (4) of chapter one hundred and seventy-six (176) General Laws of 1897 be amended to read as follows:

Every person or firm or corporation manufacturing for sale, offering or exposing for sale, or sells or deliv-

Labeled.

ers to a purchaser any spice, condiment or any mixture or compound intended for use as a spice or condiment, which is adulterated as hereinbefore defined, shall securely affix or cause to be affixed in a conspicuous place upon the side of every box or package wherein the same is contained, offered or exposed for sale or sold, a label, upon the outside and face, on which is distinctly printed upon a background of a single color, in the English language and in legible type not smaller than double pica, the name and location of the factory of the person, firm or corporation manufacturing the same, the words, "Mixture," and "Adulterated," and immediately following and below these words the common English name of the spice or condiment which the box or package contains, also the net weight of the package, whether the contents are pure or adulterated, must be printed in plain type upon the label.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

H. F. No. 732.

CHAPTER 258.

Itasca .
State
Park.

An act to prevent trespassing upon lands situated within Itasca State Park, or the placing of logs or other property, or any debris whatsoever, in Elk or Itasca lake, or any other waters situated in said park.

Be it enacted by the Legislature of the State of Minnesota :

Trespass
defined.

SECTION 1. The hauling or moving of any logs or timber over or upon lands, the property of the State of Minnesota, or which have been conditionally or otherwise granted to said state by the government of the United States situated within the outer limits of Itasca State Park, or the placing of any logs or timber in Elk Lake, Lake Itasca, or any stream running into or out of either of such lakes, situated within the outer limits of said park, without first procuring a license therefor signed by the governor, the state auditor, and the president of the Minnesota State Historical society, is hereby made a felony; and the policy of the State of Minnesota to preserve for the benefit of this and future generations, Itasca State Park surrounding the ultimate source of the Mississippi

river in a state of nature (except as the same may have heretofore in isolated portions been disturbed), is hereby reaffirmed.

SEC. 2. Any person violating the provisions of section one (1) of this act, shall be punished by imprisonment in the state prison not less than three (3) months or over one (1) year, or by a fine of not less than one thousand (\$1,000) or over five thousand (\$5,000) dollars, or both in the discretion of the court. Penalty.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 259.

H. F. No. 727.

An act fixing the time for holding the general terms of the district court, in Olmstead county, Wabasha county, and Winona county, in the Third judicial district, and to amend section 4913 of the general statutes of Minnesota for the year 1894 as amended by chapter 363 of the General Laws of 1897.

Terms of court, third district.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The general terms of the district court in and for the county of Olmstead in the Third judicial district shall be held on the second Monday in June and the second Monday in December in each year. Olmstead.

SEC. 2. The general terms of the district court in and for the county of Wabasha, Third judicial district, shall be held on the third Monday of May and the second Monday of November in each year. Wabasha.

SEC. 3. The general terms of the district court in and for the county of Winona in the Third judicial district shall be held on the second Monday in January and the first Monday in May and the third Monday in September in each year. *Provided* that no grand jury shall be drawn or summoned for the May term of said court in the county of Winona, except upon the direction of the presiding of the district court of said county. Winona.

SEC. 4. Inconsistent acts in former laws are hereby repealed.

SEC. 5. All writs, processes, continuances, bonds, recognizances, appeals, notices and proceedings had, issued Writs, etc, returnable.

or returnable to the terms of court, as heretofore established by former statute, shall be deemed and construed as made, taken and returnable to the term of court as fixed by this act.

SEC. 6. This act shall take effect and be in force from and after January 1, 1904.

Approved April 18, 1903.

CHAPTER 260. *R*

H. F. No. 602.

Adulterated
food, sale
prohibited.

An act to prohibit the sale or having in possession with intent to sell, of human foods mixed with any chemical or chemical preservative or compound, injurious to the public health, or which tends to conceal evidences of decay or putrefaction existing therein, or the mixing thereof for sale, and to protect the public health; and providing penalties for a violation thereof.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The sale, offering for sale, or having in possession with intent to sell, of any article or product, used or intended for use as human food, when mixed with any chemical, or chemical compound or preservative injurious to the public health, or which conceals or tends to conceal or destroy the odor or evidences of putrefaction existing in such articles of food, is hereby prohibited and made unlawful.

SEC. 2. The mixing for sale of any article or product used or intended for use as human food, with any chemical or chemical compound or preservative injurious to the public health, or which conceals, or tends to conceal or destroy the odor or evidence of putrefaction existing in such articles of food, is hereby prohibited and made unlawful.

Misdemeanor.

SEC. 3. Any person, corporation, officer, agent, trustee or employe of any corporation violating any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished in any court having jurisdiction, by a fine of not less than twenty-five (25) or over one hundred (100) dollars, or by imprisonment in the county jail not exceeding ninety (90) days.

SEC. 4. This act shall take effect and be in force from and after August 1st, 1903.

Approved April 18, 1903.

CHAPTER 261.

R

H. F. No. 589.

An act abolishing days of grace and fixing the maturity of negotiable instruments and other evidences of indebtedness.

Days of
grace
abolished.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. No promissory note, draft, "not drawn at sight" check, acceptance, bill of exchange or other evidence of indebtedness, shall be entitled to days of grace, but the same shall be payable at the time fixed therein without grace.

SEC. 2. All promissory notes, drafts, checks, acceptances, bills of exchange, or other evidences of indebtedness, falling due or maturing on Sunday, or on any legal holiday, shall be deemed due or maturing on the next succeeding business day; and when two or more of these days come together, or immediately succeed each other, then such instrument, paper or indebtedness shall be deemed as due or maturing on the day following the last of such days.

Maturing
on Sunday
or legal
holiday.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after June 30, 1903.

Approved April 18, 1903.

CHAPTER 262.

R

H. F. No. 583

An act to prohibit the use of velocipedes, track bicycles and tricycles on railroads.

Bicycles,
etc., on
railroads
prohibited.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. It shall be unlawful for any person not an employe of a railroad company, with [without] a permit from such company, to ride, operate or propel a velocipede, track bicycle or tricycle on or along the tracks of any railroad.

SEC. 2. Any person violating the provisions of this act shall be subject to a fine of not more than one hundred dollars (\$100) or to imprisonment in the county jail for not more than three months.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

H. F. No. 496.

CHAPTER 263.

R

Justice
of the peace.

An act to amend sections five thousand one hundred and eighteen (5118) and five thousand one hundred and nineteen (5119) of the General Statutes of 1894, relating to justices of the peace.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section five thousand one hundred and eighteen (5118) of the General Statutes of Minnesota of 1894, be and the same is hereby amended so as to read as follows:

Certificate
of conviction.

Section 5118. Whenever any conviction for any offense against the laws of the State of Minnesota is had before a justice of the peace, he shall make a certificate of such conviction under his hand in which it shall be sufficient briefly to state the offense charged and a conviction and judgment thereon, and if any fine has been collected, the amount thereof.

Fees.

For his fees for making such certificate and causing the same to be filed the justice of the peace shall be allowed the sum of twenty-five cents (25c) and no more.

SEC. 2. That section five thousand one hundred and nineteen (5119) of the General Statutes of Minnesota of 1894, be and the same is hereby amended so as to read as follows:

File certificate
with clerk
of court.

Section 5119. Within twenty days after such conviction, the said justice shall cause such certificate to be filed in the office of the clerk of the district court of the county in which such conviction was had, and shall within such time pay to the county treasurer of such county, the amount of the fine, if any has been collected. The clerk of said district court shall forthwith duly file, index and enter such case or proceeding in a book to be kept for that purpose in the same manner as proceedings in

Fine paid
into county
treasury.

civil actions are now entered, and shall receive from the treasury of said county, the same fees as are now allowed by law for like services.

Any justice of the peace failing to make and file such certificate of conviction within said twenty days, or failing to pay said fine to the county treasurer within the said twenty days shall be guilty of a misdemeanor.

Misdemeanor.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 264.

R

H. F. No. 482.

An act to authorize the payment from county funds of certain expenses of county attorneys in counties "having a population of 75,000 inhabitants or less."

County attorneys.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The board of county commissioners of each county of the State of Minnesota "having a population of 75,000 inhabitants or less" may audit and allow duly itemized and verified claims of the county attorney of such county for the actual and necessary expenses incurred and paid by him in the conduct of the business of the county for stationery, telegraph, telephone and postage. Such claims before being audited and allowed as hereinbefore provided shall be itemized and verified as provided by law, and on being audited and allowed by the county commissioners, as herein provided, shall be paid out of the revenue fund of the county in the manner provided by law for the payment of claims against the county. *Provided*, that no appeal shall be had on the refusal of the said board of county commissioners to allow said claims in whole or in part.

In counties of 75,000 or less allowed certain expenses.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

H. F. No. 408.

CHAPTER 265.

R

Liquor
license.

An act relating to the cancellation of license for the sale of intoxicating liquors and providing for the refunding of the unearned portion of such license in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

Death of
licensee, re-
fundment.

SECTION 1. That the officers of any county, village or municipality within the State of Minnesota having authority to grant license for the sale of intoxicating liquors may, in case of the death of any licensee, where its officers issuing such license deem it just and to the best interests of such county, village or municipality, refund to the legal representatives of such licensee an amount not exceeding such proportion of the amount paid for such license as the unexpired term bears to the term for which such license was granted.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

H. F. No. 819.

CHAPTER 266.

Appropriat-
ing money
for agri-
cultural
school.

An act to assess a tax to raise funds and to appropriate the same for buildings and other equipment for the department of agriculture of the University of Minnesota.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The state auditor is hereby authorized and directed to levy for the years 1903 and 1904 such fraction of a mill tax on all the taxable property of the state as will produce in the aggregate \$250,000, said tax to be levied and collected as other state taxes are levied and collected, the proceeds of said tax levy to be used through such agency as provided by law in further equipping the department of agriculture of said university as follows:

Tax
Levy.

Buildings.

For the construction and equipment of a main building to be used by the agricultural department for instruction and experiment work; for the entomological and sewing departments; executive offices; rooms for the

farmers' special course; schoolrooms for college and school of agriculture; library and museum; and for such other and further uses as may be required. Also for enlarging the heating and lighting plant, and for the construction and equipment of a live stock building.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 267.

S. F. No. 843.

An act to confirm, legalize and validate bonds heretofore issued by organized townships in certain cases.

Legalizing
bonds.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That all bonds which, prior to the passage of this act, have been issued and sold by any organized town (or township) in this state, for the purpose of constructing, altering or repairing roads (or highways) in said town, or for the purpose of constructing, altering or repairing roads and bridges in said town, or for the purpose of constructing, altering or repairing a town hall in said town, or for any other lawful town improvement, or for the purchase of any real or personal property by said town, whether purporting to have been issued under authority of chapter thirty-one (31) of the General Laws of eighteen hundred and sixty-seven (1867), as amended by chapter fifty (50) of the General Laws of eighteen hundred and sixty-eight (1868), or purporting to have been issued under the authority of any other law or laws, are hereby declared to be in all things confirmed, ratified, legalized and validated, and are hereby declared to be valid and binding obligations against the town or towns issuing the same. *Provided*, that the proposition to issue such bonds has been submitted, prior to such issue, to the electors of said town or township, and has been passed by a two-thirds (2-3) vote of all the voters present and voting at any regular or special meeting, duly called for that purpose. *Provided further*, that this act shall not apply to any suit or action now pending relative to the legality of any bonds so issued or to any bonds where the legality of the same either as to principal or interest has been questioned in any action or proceeding in any court.

Issued
and sold
by organized
township
for certain
purposes.

Proposition
must have
been sub-
mitted to
voters.

Does not
apply to
actions
pending.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

S. F. No. 359.

CHAPTER 268.

Legalizing
sales of
real es-
tate under
order of
probate
court.

An act to legalize and make valid sales of real estate made by executors, administrators or guardians under license of the probate court after the time limited in the order of license.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. All sales of real property in this state belonging to the estate of decedents made by executors or administrators of such estate, and all sales of real property belonging to any ward made by the guardian of such sale has in all other respects save that as to the court in this state, where such sales have been made after the time limited therefor in such order of license, but which have been reported to and confirmed by the probate court issuing such license, if the law in respect of such ward, under an order of license of a probate time of sale as fixed by the order of license been fully complied with, then such sales shall be and they are hereby made as legal and valid in all respects as if said sales had been made within the time limited in the order of license;

When sales
made after
time limit,
and confirmed
by court.

Actions pend-
ing.

Provided, that the provisions of this act shall not apply to, or in any way affect, any actions now pending affecting the title to any such real estate.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

S. F. No. 173.

CHAPTER 269.

R

Constitution,
Sec. 7, Art. 1.

An act proposing an amendment of section seven (7) of article one (1) of the constitution of the State of Minnesota relating to criminal prosecutions and the rights of the accused.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The following amendment to section seven (7) of article one (1) of the constitution of the

State of Minnesota is hereby proposed to the people of the State of Minnesota for their approval or rejection; that is to say, that section seven (7) of article one (1) shall be amended to read as follows:

Section 7. No person shall be held to answer for a criminal offense without due process of law, and no person for the same offense shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property without due process of law. All persons shall before conviction be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great; and the privilege of the writ of habeas corpus shall not be suspended unless when in case of rebellion or invasion the public safety may require.

Rights of
accused.

When
bailable.

SEC. 2. This proposed amendment shall be submitted to the people of this state for their approval or rejection at the general election occurring next after the passage of this act, and the qualified electors of this state in their respective districts may at such election vote for or against such amendment by ballot; and the returns thereof shall be made and certified within the time, and such votes canvassed and the result thereof declared in the manner provided by law with reference to the election of state officers, and if it shall appear thereupon that a majority of all the electors voting at said election as provided in the next section have voted in favor of the same, then the governor shall make a proclamation thereof, and such amendment shall take effect and be in force as a part of the constitution.

To be sub-
mitted to the
people.

SEC. 3. The ballots used at said elections on said amendment shall have printed on them "Amendment to Section Seven (7) of Article One (1) of the Constitution providing for criminal prosecutions and the rights of the accused." "Yes—No," and each elector voting on said amendment shall place a cross mark thus (X) in a space left opposite either the word "Yes" or the word "No" and shall be counted for or against the proposition in accordance with the expressed will of the elector as provided by the election laws of the state.

Ballot.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

S. F. No. 59.

CHAPTER 270. *R*Probation
system.

An act to amend sections one (1), three (3), six (6) and seven (7) of Chapter 154 of the General Laws of Minnesota for 1899, entitled An act establishing a probation system for juvenile delinquents, and to amend sections two (2) and four (4) of said chapter as amended by Chapter 102 of the General Laws of Minnesota for 1901.

Be it enacted by the Legislature of the State of Minnesota:

Officer in
counties of
over 50,000.

SECTION 1. That section one (1) of chapter 154 of the General Laws of Minnesota for the year 1899 be amended so as to read as follows: In each county of the State of Minnesota containing more than fifty thousand (50,000) inhabitants there shall be appointed an officer to be known as a probation officer. The said probation officer shall be nominated by the board of control of state institutions, but said nomination shall not be effective until it shall be approved and confirmed by a majority of the judges of the district court in and for such county, and such probation officer shall have the power and authority to appoint one or more deputy probation officers, subject to the approval of the judges of the district court. Said probation officer and his deputies shall be appointed for a term of four years, subject to removal by a majority of the district judges for cause.

Duties of
county com-
missioners.

The county commissioners of said counties shall provide said probation officer and deputy suitably furnished office rooms, record books, blanks, stationery and postage as may be required for the proper execution of the purposes of this act, said furnishings and office supplies to be paid for out of any monies in the general fund of their respective counties not otherwise appropriated upon bills duly authorized and allowed in the usual manner by said commissioners.

Duties of
probation
officer.

SEC. 2. That section two (2) of said chapter 154 of the General Laws of Minnesota for 1899 as amended by chapter 102 of the General Laws of Minnesota for 1901, be amended so as to read as follows:

It shall be the duty of said probation officer or his deputy to be present at all sessions of the municipal court in and for the principal city in said county, and to be present in the district court of said county, whenever any

person under the age of twenty-one (21) years is brought into court for trial, charged with incorrigibility, vagrancy or with any violation of any state or municipal law or ordinance or regulation. It shall be the duty of said probation officer or his deputy to be present in the probate court of such county whenever any such child shall be brought into said court for the purpose of having it determined whether such child shall be committed to the proper state institution; and to supervise and be responsible for the conveyance of all children committed by said court to the state public school at Owatonna, and without compensation therefor other than transportation and other actual expenses incurred.

SEC. 3. That section three (3) of chapter 154 of the General Laws of Minnesota for 1899 be amended so as to read as follows:

It shall be the duty of the said probation officers to represent the interests of such child in court; to make investigations with reference to the case, which the judge may direct; to make inquiry into the nature of every juvenile criminal case brought before the court under whose jurisdiction they act and they may recommend that any such person so convicted by said court be placed upon probation; to take an oversight of such child should the case be continued or the sentence be suspended and in general to perform such acts with reference to such child as the judgment of the court may direct, which judgment may be such as shall be deemed for the best interest of the child and of society. Said probation officers shall not be active members of the regular police force, but shall in the execution of their official duties have all the powers of police officers. Any officer who refuses or neglects to make returns or to perform any of the duties required of him by this act shall forfeit two hundred (200) dollars to the use of the commonwealth.

Further
as to duties.

Officers not
to be active
members of
police force.

SEC. 4. That section four (4) of said chapter 154, as amended by chapter 102 of the General Laws of Minnesota for 1901, be amended so as to read as follows:

When any child under the age of twenty-one (21) years shall be found guilty of the violation of any law, ordinance or regulation or of incorrigibility, or vagrancy in any court of record in any county containing more than fifty thousand (50,000) inhabitants, after pronouncing sentence, the judge may stay the execution of

Sentence,
stay of ex-
ecution.

the sentence for such period as he may deem proper, conditioned upon the good behavior of the child, committing the child on probation during such stay to the care of the probation officer, or he may return the child to the custody of his natural guardian, subject to the supervision of the probation officer, under such conditions as the court may prescribe. If at any time during the stay of execution of the sentence it shall be made to appear to the satisfaction of the court that the sentence should be enforced, the court shall have the power to revoke the stay of execution and enforce the sentence immediately. If at the expiration of the stay it shall appear to the satisfaction of the court that the said child has complied faithfully with the conditions of his probation, the court may suspend sentence absolutely. The court may in its discretion hold separate sessions for the trial and disposition of such cases.

Court may
hold separate
sessions.

SEC. 5. That section six (6) of said chapter 154 be amended so as to read as follows:

Officer to
report to
court and
to board of
control.

It shall be the duty of said probation officers to report in writing to the court as often as the court shall require, with reference to the children committed to his care, and it shall be the duty of said officers to report to the board of control of state institutions the condition and disposition, and such other pertinent facts relative to such children, quarterly, on such blanks as the said board may prescribe and furnish.

SEC. 6. That section seven (7) of said chapter 154 be amended so as to read as follows:

Salary of
officers.

In counties of more than one hundred thousand (100,000) inhabitants according to the last state or national census the said probation officer shall receive from the county treasurer of the county wherein such services are rendered, a salary of twelve hundred (1,200) dollars per year and the deputy probation officer in such counties shall receive in the same manner (500) five hundred dollars per year. And in counties of less than one hundred thousand (100,000) inhabitants and more than fifty thousand (50,000) inhabitants according to said census the probation officer shall receive from the county treasurer of the county wherein such services are rendered a salary of six hundred (600) dollars per year. Said salaries to be paid by the county treasurers of said counties in twelve (12) equal monthly installments upon

the certificate of the clerk of the district court of said counties for said amounts and shall be in full compensation for all services rendered by said officers or deputies.

SEC. 7. That this act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 271.

R

S. F. No. 148.

An act to amend chapter one hundred eighty-six (186) of the General Laws of one thousand eight hundred eighty-five (1885), entitled "An act authorizing the formation of companies for mutual insurance against loss and damage by hail, tornadoes, cyclones and hurricanes," and the several acts amendatory thereof, being an act to revise and codify the laws of this state with reference to the formation of companies for mutual insurance against loss and damage by hail, tornadoes, cyclones and hurricanes.

Hail, tornado
cyclone and
hurricane
insurance
companies.

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Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any number of persons, not less than twenty-five, residing in this state, may associate themselves and become incorporated for the purpose of mutual insurance against loss or damage by hail, tornadoes, cyclones and hurricanes, by complying with the provisions of this act. *Provided*, that no policy shall be issued by such company until not less than two hundred thousand dollars (\$200,000) of insurance in not less than four hundred (400) separate risks upon property located in not less than ten (10) counties, and upon risks not exceeding fifteen (15) of one hundred and sixty (160) acres each, in any one township in the State of Minnesota, have been actually subscribed for and entered on its books, and there has been paid by each subscriber for such insurance an original membership fee of three dollars, for which the subscriber shall be given a receipt executed in duplicate, conditioned for the return of such sum if the company does not complete its organization within one year from the date of such receipt, the sum so received from the subscribers for insurance shall be deposited in some good bank and shall there remain until the complete organization of the company and the receipt of its license to do business, the duplicate of such receipts to-

Restrictions
as to policies.

gether with a certificate from the bank or banker that such deposit has been made, shall be filed with the insurance commissioner within ninety (90) days of the date thereof.

Articles of
incorporation
contents.

SEC. 2. Such companies shall organize by adopting and signing articles of incorporation, which shall contain :

First—The name of the corporation, which shall not be the same as that previously assumed by any other corporation in this state, and which shall contain in its title the word "mutual."

Second—The general nature and the proposed method and plan of its business, and the place of its principal office, with the time and place where shall be held its annual meetings.

Third—The names and residences of the persons so associated to form such corporation.

Fourth—The time of commencement, and the period of duration of such corporation.

Fifth—The number, names and places of residence of its first board of directors, the first officers, and the time and place of electing their successors.

Acknowledge
articles.

Certificate of
president
and secretary.

SEC. 3. Such articles shall be acknowledged by the persons signing them in the manner provided by law for the acknowledgment of deeds, and together with a certificate of the president and secretary under oath, reciting the amount of insurance subscribed, the number of risks, in how many counties and townships located and the largest number in any one township, and reciting the membership fees collected, to be not less than the amount of insurance, number and distribution of risks and amount of fees provided in section one (1) of this act, shall be filed for record in the office of the insurance commissioner for this state.

Duties of
insurance
commissioner.

SEC. 4. The insurance commissioner of this state shall, before recording such articles, and without unnecessary delay, examine the certificates, and if he shall find that all of the provisions contained in section one (1) of this act have been complied with, and if he shall find that such articles have been executed in conformity with the provisions of this act, he shall endorse thereon the word "approved," date and sign the same, and he shall thereupon record the same in the records of his office, and shall issue under his hand and official seal, and deliver to

Approval.

said corporation his certificate to the effect that such corporation has been duly incorporated under the provisions of this act and is a body politic and corporate with power of perpetual succession and full authority to transact business from and after the date thereof, subject to the provisions of this act.

Such certificate shall be recorded in the office of the register of deeds of the county wherein such corporation shall have its principal office, and said certificate and records and any certified copy thereof shall be received in all the courts of this state as prima facie evidence that such corporation has been duly organized and created under the laws of this state; *provided*, that if any such company shall not commence to issue policies within one year from the date of such certificate its corporate power shall expire by its own limitation, and upon petition of the insurance commissioner, of which a copy shall be served upon such corporation in the same manner as is provided by law for the service of summons in civil actions, the judge of the district court in and for the county wherein the articles of incorporation designated to be its principal office, may upon ten (10) days' notice to such corporation of the time and place of hearing, and upon due investigation, by decree, limit the time within which it shall settle and close up its affairs.

Record
with register
of deeds.

Companies
must issue
policies within
one year.

SEC. 5. Upon the issuance of such certificate, such incorporators shall be and become a corporation, and authorized to transact the business of mutual insurance against loss or damage to property by hail, tornadoes, cyclones, and hurricanes, in such manner and upon such terms as may be herein provided and authorized by its by-laws, it shall have perpetual succession, sue and be sued, contract and be contracted with, implead and be impleaded by its corporate name, in any court of this state, and shall possess the usual powers and be subject to the usual duties of corporations.

Company,
organized.

SEC. 6. The articles of incorporation may be amended in any respect not inconsistent with the provisions of this act, at any annual meeting of the members of the corporation, upon a vote of two-thirds (2-3) of the members present and represented at such meeting.

Amended
articles.

SEC. 7. The general management of the business of such corporation shall be vested in a board of not less than five (5) directors, each of whom shall, during the

General
management
vested in
board of five
directors.

term of his office, be a member of said corporation, such directors may be divided into one, two, three, four or more classes, as may be provided by its by-laws, and shall be elected at the annual meeting, in such manner as that the members of one class shall retire and their successors be chosen each year, or at such other time or times as the by-laws may prescribe, and who shall hold their office until their successors are duly elected and qualified; vacancies in any class may be filled by the board for the unexpired term, compensation to be fixed by the by-laws.

Officers,
bonds,
terms,
salary.

The directors shall choose from among their own member a president, secretary, treasurer, and such other officers as the by-laws may provide, who shall give such bonds with such surety as shall be required by the by-laws or the directors of the corporation, whose respective terms of office shall be one (1) year, and until their successors are elected and qualified, and whose duties and compensation shall be such as is provided by the by-laws, *provided* such by-laws shall not be so amended as to increase the salary of any officer, except by a majority vote of all of the members present and represented at any annual meeting of the company; *provided, further*, that such salary shall be in full compensation to all officers, and neither the officers or directors shall receive any commissions.

Insured to
be member
of corpora-
tion.

SEC. 8. Every person insured under the provisions of this act shall be a member of the corporation while his policy is in force, entitled to one vote for each policy he holds, and shall be notified of the time and place of holding its meetings, by written notice, or by an imprint upon the back of each policy, which notice shall be substantially as follows: "The assured is hereby notified that by virtue of his policy he is a member of the insurance company of and that the annual meetings of said company are holden at its home office in.....on the.....day of..... in each year, at.....o'clock.....m."

The blanks shall be duly filled in writing or print, and the same shall be deemed a sufficient notice.

Proxies.

Members of such corporations are entitled to vote by proxy at any meeting of the company, proxies to be returned and filed on or before ten (10) days prior to any annual meeting; *provided*, no proxy shall be valid after a period of three months from date, and to be executed

and dated not earlier than the first day of October of any year.

Such corporations shall provide in and by their by-laws the manner, terms and conditions upon which any member may withdraw, be suspended or expelled and his policy cancelled and terminated.

Withdrawal
of members,
cancellations.

SEC. 9. All companies organized under the provisions of this act shall charge and collect on their policies at the time of delivery thereof a full mutual premium in cash, or notes absolutely payable, at a rate which shall not be less, in the hail department, than two and one-half per cent per annum of the face amount at risk.

Premiums.

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Each policy holder, in addition to the premium paid or contracted to be paid shall be liable to an assessment, to pay his proportional part of all losses and expenses sustained and incurred while a member of such company, not exceeding, however, in addition to the premium named in his policy and contract, a sum equal to such premium, *provided* such assessment, in addition to the premium theretofore paid or contracted to be paid, shall not in any one year exceed the sum of five per cent; *provided*, he is notified of such assessment within ninety (90) days after the expiration of his policy and if his policy is for more than one (1) year, within ninety (90) days after the expiration of his annual insurance thereunder. The mailing of such notice to the last known address of the member shall be deemed sufficient notice of such assessment.

Assessments.

The total amount of liability to which a member is liable shall be plainly, legibly and correctly stated both in the application, policy and note, if a note be given.

Notification.

SEC. 10. Whenever a company organized under this act has not sufficient funds for the payment of incurred and adjusted losses and expenses, it shall be the duty of the board of directors to levy, by resolution, an assessment for the amount required to pay such losses and expenses, upon the members in proportion to their several liabilities.

Insufficient
funds.

Such resolution shall require payment of the assessment within sixty (60) days, shall be signed by the president and secretary, recorded at length in the records of the company, and a certified copy thereof transmitted to and filed with the insurance commissioner.

Payment of
assessment
within 60
days.

SEC. 11. The directors of any company organized under and pursuant to the provisions of this act may,

Assets, ex-
ceeding limit
of guaranty
fund.

from time to time, and when the cash assets exceed the amount authorized to be maintained as a guaranty fund shall, by resolution, fix and determine the amount to be paid as a dividend to its members.

Failure to
meet legal
obligations.

SEC. 12. Whenever any company organized under the provisions of this act shall fail or neglect for a period of four (4) months to meet its legal obligations, the insurance commissioner shall have authority if upon examination he deems the condition of said company to be such as to render its further proceedings hazardous to the public or to its policy holders, to apply to the judge of the district court of and for the county where the principal office of the company is located, or, upon the refusal or neglect of such judge to act then to the judge of any district court in the state for an injunction restraining it in whole or in part from further proceeding with its business. Such judge may in his discretion issue an injunction forthwith or issue the same upon notice and hearing, and after a full hearing of the matter may dissolve or modify such injunction or make it perpetual, and make all orders and decrees needful in the premises, and may appoint agents or receivers to take possession of the property and effects of the company, and to settle its affairs subject to such rules and orders as the court may from time to time prescribe. Service of process in such proceedings shall be sufficient if made upon any officer of the company.

Injunction.

Receiver.

Report to
Ins. commis-
sioner.

Sec. 13. The insurance commissioner in addition to the powers and authority vested in him by the provisions of section twelve (12) of this act is hereby authorized and empowered to call for a report of and from any company organized under the provisions of this act, when in his judgment the interests of the public and the policy holders require, and it shall be the duty of the proper officers of such company to make prompt return and reply to such call, and fully answer all interrogatories regarding its business methods, financial condition and all matters lawfully inquired about, in addition to the annual statement and such personal examination and inspection as the commissioner may require. If any officer of the company having charge of its books and papers, shall fail or neglect to make such report promptly, or if such company shall carry on its business in a fraudulent, extravagant and unsafe manner, and so as not to afford to

its policy holders protection against loss or damage to their property, or if said company violates any of the provisions of this act or if the expenses other than the absolute payment of losses of any company shall exceed in any year, one per cent on the face amount of the risks, the insurance commissioner is hereby authorized and empowered to revoke the authority and license of such company to do business in this state.

And whenever the insurance commissioner shall have reason to doubt the solvency of any company, or to believe that any company is doing a fraudulent, extravagant and unsafe business, he may, at the expense of such company cause an examination of its books, records, papers and securities, and if upon such examination the commissioner shall find that such company is not paying its legal obligations or is conducting its business in a fraudulent, extravagant or unsafe manner, or is violating any of the provisions of this act or of law, he may institute proceedings for the winding up of its affairs as provided in section twelve (12) of this act.

Insurance
commissioner
to examine
books, etc.

Sec. 14. No company organized under the provision of this act shall insure any property other than hay, grain, corn and other farm crops and products, while growing or while in the bin, crib or granary upon the premises of the insured, and dwellings, barns and other farm buildings and their contents, and live stock while on the premises of the insured or running at large. Provided, that no company shall in its hail department insure more than one hundred and sixty (160) acres in any one section and not to exceed thirty-two hundred (3200) acres in any one township.

Risks
classified.

Sec. 15. All companies organized under the provisions of this act are authorized to issue policies of insurance signed by the president and secretary, contracting to pay to the persons insured under such policies all loss and damage to the property insured, which they may sustain on classes of property named in section fourteen (14) of this act, for a period not exceeding five (5) years, and in a sum not exceeding the amount and subject to the conditions specified in the application and policy of insurance.

Authority to
issue policies.

Sec. 16. Every company organized and pursuant to this act, and every company now engaged in the business of insuring against loss by hail, tornadoes, cyclones and

Guaranty
surplus funds.

hurricanes, as a mutual insurance company, under the laws of this state, shall create a guaranty surplus fund for the better protection of its policy holders and for the payment of its losses when its annual premium receipts are insufficient therefor, and for the purpose of creating such fund every such company shall set aside and credit to such fund all of the income received in each year remaining after the payment of all legal obligations of such company, until such fund shall have to its credit the sum of one hundred thousand dollars, and shall annually thereafter be set aside, in the same manner and from the same fund, a sufficient sum to maintain such guaranty surplus fund. *Provided*, that such fund so created shall not exceed the sum of one hundred thousand dollars.

Not to exceed \$100,000.

Investment of funds.

Such fund may, and if possible shall, be invested at interest upon securities and in the manner provided by section thirty-two (32) of chapter one hundred seventy-five (175) of the General Laws of one thousand eight hundred ninety-five (1895) and amendments thereto.

Detailed statement by secretary.

Sec. 17. The secretary or other proper officer of each company doing business under the provisions of this act shall, at each annual meeting of the company, make a detailed statement of its condition, financially and as to its business transacted during the preceding year, and shall also make annually such report to the insurance commissioner, at the time, in the manner, upon the blanks and as fully as he shall require, and such annual statement shall, in a compact and comprehensive form, be published once in a weekly legal newspaper having general state circulation in Minnesota.

License and renewal certificates.

The filing and making of the annual statement to and with the insurance commissioner shall be a condition precedent to the issue by the insurance commissioner of an annual license or certificate of authority to continue its business. Upon the filing of such report it shall be the duty of such commissioner annually to issue to such company a renewal certificate of authority to continue its business if such report is satisfactory to him, which certificate shall be issued promptly and with no unnecessary delay, and may be filed in the office of the register of deeds in the county where the principal office of the company is located.

Foreign corporations.

Sec. 18. Foreign insurance companies, of the same character, provided to be organized under this act, may,

upon complying with the following conditions, be admitted to transact business in this state by its duly licensed and constituted agents resident therein, any class of insurance business authorized by this act, subject to all general laws now or hereafter in force relative to the duties, obligations, prohibitions and penalties of insurance companies, and all laws of this state applicable to the transaction of such business by foreign insurance companies and their agents.

Sec. 19. No foreign insurance company shall be so admitted and authorized to do business until:

(1) It shall deposit with the insurance commissioner a certified copy of its charter, or articles of incorporation and of its by-laws, and a statement under oath of its financial condition signed by its president and secretary or other proper officers, and shall pay to the commissioner for the filing of such copy the sum of thirty dollars, and for the filing of such statement the sum of twenty dollars.

Requirements.

(2) It shall satisfy the insurance commissioner that it is fully and legally organized under the laws of its own state, to do the business it proposes to transact and that it is conducted on as safe a basis as companies of the same class organized and doing business in this state.

Insurance commissioner to be appointed lawful attorney.

(3) It shall, by a duly executed instrument in writing, filed in his office, constitute and appoint the commissioner or his successor its true and lawful attorney in fact, upon whom all lawful processes in any action or legal proceeding against it may be served, and therein shall agree that any lawful process against it which may be served upon its said attorney, shall be of the same force and validity as if served upon the company, and that the authority thereof shall continue in force irrevocable so long as any liability of the company remains outstanding in this state.

The service of such process shall be made by leaving the same in the hand or office of the commissioner, copies of such instrument certified by the commissioner shall be deemed sufficient evidence thereof, and service upon such attorney shall be deemed sufficient service upon the principal. When legal process is served upon him as attorney for a foreign company under the provisions of this act, the same shall be by duplicate copies, one of which shall be filed in the office of said commissioner, and the other

Service upon.

by him immediately mailed, postage prepaid, to home office of the company, or to the address of the authorized resident attorney in this state, as the company may designate in such stipulation.

Agents to
be residents.

(4) It shall appoint as its agent, or agents in this state, some resident or residents thereof. Upon written notice by such company of its appointment of a suitable person to act as its agent within this state, and the payment of a fee of one dollar, the insurance commissioner shall, if the facts warrant it, grant such certificate. Such certificate shall continue in force until the first day of March next after its issue, and, by renewal thereof on the annual payment for such renewal of a fee of one dollar before the first day of March of each year, until revoked by the commissioner for non-compliance with the laws or until the appointment of the agent is revoked by written notice from the company to that effect filed with the insurance commissioner. While such certificate remains in force the company shall be bound by the acts of the person named therein, within his apparent authority, as its acknowledged agent.

Certificate of
compliance
with law.

(5) It shall obtain from the insurance commissioner a certificate that it has complied with the laws of this state and is authorized to make contracts of insurance, and such license must be renewed annually.

Sworn state-
ment as to
business and
financial
affairs.



(6) It shall annually file a sworn statement covering its business and financial affairs as of December 31st prior, in such detailed form upon blanks furnished by him as the commissioner may require. Such statement made, filed and satisfactory to the commissioner shall be a condition precedent to the renewal of the annual license.

Laws of
other states,
applicable.

SEC. 20. When by the laws of any other state, any taxes, fines, penalties, licenses, fees additional to or in excess of those imposed by the laws of this state upon foreign insurance companies and their agents, are imposed on insurance companies of this state and their agents, doing business in such state, the same taxes, fines, penalties, licenses and fees shall be imposed upon all insurance companies of such state and their agents doing business in this state, so long as such laws remain in force.

Fees payable
to insurance
commissioner.

SEC. 21. There shall be paid to the insurance commissioners by domestic insurance companies organized un-

der this act, and by foreign insurance companies admitted under the provisions hereof the following fees:

(1) Domestic companies—

For filing the articles of incorporation and accompanying certificates and receipts the sum of twenty dollars.

For filing annual statement the sum of ten dollars.

For each certificate furnished the sum of one dollar.

For the certificate of license the sum of one dollar.

(2) Foreign companies—

For filing certified copy of its charter of articles of incorporation the sum of thirty dollars.

For filing the statement required by section nineteen (19) of this act the sum of twenty dollars.

For each agents' certificate of authority the sum of one dollar.

For receiving and filing each annual statement the sum of ten dollars.

SEC. 22. Every company organized under the provisions of this act, shall make and adopt by-laws, not repugnant to law, this act or to its articles of incorporation, and shall therein provide such regulations, terms and conditions as may be necessary to effectually and fully carry out its plans and methods of insurance, and the by-laws in force at the time of the date of any policy of insurance issued by such company, shall have the force and effect of law in the determination of all questions and claims arising under such policy, between the insured and the company.

By-laws.

And such by-laws shall contain a provision requiring all printed matter to have plainly and prominently displayed thereon the word "mutual."

"Mutual."

And such by-laws shall provide that the policies or contracts of insurance contain the following provision, viz.: "In case of loss under this policy, and a failure of the parties to agree as to the amount of loss, it is mutually agreed that the amount of such loss shall be referred to three (3) disinterested men, the company and the insured each choosing one, out of three persons to be named by the other, the third being selected by the two so chosen; the award in writing by a majority of such referees shall be conclusive and final upon the parties as to the amount of loss or damage, and such reference, unless waived by the parties, shall be a condition precedent to any right of action in law or equity to recover for such loss.

Clause provided for in by-laws to be contained in policy.

Limit in which actions may be commenced.

No suit or action against this company for the recovery of any claim by virtue of this policy shall be sustained in any court of law or equity in this state, unless commenced within six (6) months from the time the loss occurred.

Life of corporation.

Such by-laws shall also provide the form, manner and time of notice to be given the company by the insured of any loss by him sustained.

SEC. 23. No corporation formed under the provisions of this act shall continue for a longer period than thirty (30) years.

Transfer and reinsurance.

SEC. 24. Any corporation organized or doing business under this act may transfer its risks to, or reinsure them in any other insurance company, corporation, association or society doing business in this state on the mutual or stock plan.

Approval by Insurance commissioner, and two-thirds of members.

Provided, that the contract of transfer or reinsurance shall have been first submitted to and approved by the insurance commissioner of this state, and has been approved by a two-thirds vote of the members and policy holders present, represented and voting at any regular meeting of such corporation, or at a special meeting thereof called to consider the same, of which special meeting a written or printed notice shall have been mailed to each policy holder at his last known address, at least thirty (30) days before the day fixed for such meeting. But no such transfer or reinsurance shall be made to any insurance company organized under the laws of another state which is not at the time legally authorized to do business in this state.

Rights of companies organized under ch. 186, 1885.

SEC. 25. Nothing herein contained shall be construed so as to limit or abridge the rights of any company or corporation heretofore organized in this state under the provisions of chapter one hundred eighty-six (186) of the General Laws of the year one thousand eight hundred and eighty-five, and amendments thereto, but every such company shall in the future management and conduct of its business conform to all of the provisions, limitations and requirements of this act.

SEC. 26. All acts or parts of acts inconsistent or in conflict herewith are hereby and herewith repealed.

SEC. 27. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 272. *R*

S. F. No. 304.

An act to codify and amend the laws concerning the state library and appropriating money for its care and maintenance.

State library.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The state library shall consist of the books, pamphlets, maps, charts and documents of every kind now belonging to the same, together with such others as it may acquire by gift, purchase, exchange or otherwise.

SEC. 2. The governor, by and with the advice and consent of the senate, shall appoint a state librarian at a salary of two thousand dollars (\$2,000) per year, who shall hold his office for two years and until his successor is appointed and qualified. Before entering upon his duties he shall take the oath of office and give a bond to the state in the sum of two thousand dollars (\$2,000) with two sureties to be approved by the governor conditioned for the faithful performance of his official duties, the safekeeping and delivery to his successor of all property belonging to the library, and the proper disbursement or payment to his successor of all moneys coming into his hands as librarian. Such oath and bond shall be filed in the office of the secretary of state.

Librarian,
salary, bond
and oath.

SEC. 3. The librarian is hereby authorized to appoint a clerk to assist in the duties of his office, whose salary shall be \$900 per annum and who shall hold office at the pleasure of the librarian. There shall also be appointed by the librarian an assistant librarian whose salary shall be \$1,500 per annum. *Provided*, that the appointment of said assistant before taking effect shall be approved by the supreme court.

Clerk.
Assistant.

SEC. 4. The librarian shall have the custody and charge of all property belonging to the library. He shall under the direction and control of the judges of the supreme court attend to all sales and purchases. He shall furnish the custodian of public documents with a list of states, territories, countries and institutions with which he deems it desirable to carry on exchanges for the benefit of the state library, and it shall be the duty of said custodian of public documents to furnish and forward the volumes requested for such exchange, as provided by

Custody of,
and charge
under control
of supreme
court judges.

law. He shall, as respects himself, obey, and, as respects other persons, enforce such rules and regulations as may be prescribed for the government and conduct of the library and its affairs. He shall with or without suit, collect in his own name, for the use of the library, such damages as may be sustained by injury to or failure to return any books or other property of the library, as well as all fines imposed by any of the rules or regulations before mentioned.

Shall keep
books.

He shall keep a book in which he shall enter a detailed and chronological account of all exchanges, purchases and sales of the books added to the library during the preceding twelve months designating which have been added by gift, which by exchange and which by purchase; a list of the books lost during the said twelve months; a statement of the amount collected for the use of the library during the same period for loss of books or injury thereto, and for fines; and also a statement of the amount expended for the library, designating in a general way the purposes for which such expenditures have been made.

SEC. 5. The judges of the supreme court shall exercise a general supervision of the library. They shall have power to adopt all such rules and regulations for the government and conduct of the same and its affairs as they may deem proper, and also rules prescribing penalties and fines for any violation thereof, such rules and regulations shall be posted in conspicuous places in the rooms occupied by the library. Such judges are authorized to direct such purchases of books, pamphlets and documents for the library, and to direct such sales and exchange of books, pamphlets and documents in the library as they may deem best.

State officers
to deliver
certain books
to librarian.

SEC. 6. Every officer of the state who shall receive any volume of the laws, journals, reports or other documents of any other state or territory of the United States or any foreign country, or any of the officers thereof for the use of this state shall immediately deliver the same to the state librarian for the state library.

SEC. 7. All moneys received for books sold or for injury to or failure to return books or other property of the library, or for fines shall be expended for the benefit of the library.

SEC. 8. The librarian is hereby authorized under the direction of the judges of the supreme court to expend

not to exceed the sum of four thousand dollars (\$4,000) annually in the purchase of books for the library; seven hundred dollars (\$700), annually in binding and repairing books for the library, and five hundred dollars (\$500) annually for contingent purposes.

SEC. 9. For the purposes of this act there shall be and hereby is appropriated the sum of nine thousand six hundred dollars (\$9,600) for the fiscal year ending July thirty-first, nineteen hundred and four, and annually thereafter.

Annual appropriation.

SEC. 10. All acts and parts of acts inconsistent with this act are hereby repealed. *Provided, further*, that all standing appropriations heretofore made for any of the purposes herein specified are hereby repealed.

SEC. 11. This act shall take effect and be in force from and after August first, 1903.

Approved April 18, 1903.

CHAPTER 273.

19

S. F. No. 468.

An act entitled "An act to authorize savings banks, annuity, safe deposit and trust companies to invest in certain securities."

Savings banks, safe deposit and trust companies.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. It shall hereafter be lawful for the trustees of any savings bank to invest the moneys deposited therein, and for any annuity, safe deposit and trust company doing business in this state, to invest any of its capital or the moneys under its control, in the debenture stock of any railway company owning and operating a line of road in whole or in part within the State of Minnesota; *provided* that said debenture stock shall bear at least four per cent interest per annum, and shall be secured by trust deed as a first lien upon said line of railway; *provided*, that no annuity, safe deposit, trust companies, or savings banks shall ever loan upon or invest in the debenture stock of any one railroad company to exceed in the aggregate five (5) per cent of its deposits.

Authority to invest in certain securities.

SEC. 2. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

S. F. No. 475.

CHAPTER 274.

R

Villages authorized to issue bonds to pay floating indebtedness, in certain cases.

An act to authorize and empower villages under certain circumstances to issue bonds for the payment of its floating indebtedness.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That any village in this state which has a floating indebtedness incurred by legitimate expenses for improvements on streets, for procuring fire protection, or for construction or repairs of village hall or for any and all such improvements amounting to three thousand dollars (\$3,000) or over besides its bonded indebtedness, may issue its bonds for an amount as nearly equal as may be to the amount of such floating indebtedness, not to exceed in the aggregate with bonds already issued, fifteen per cent of the assessed valuation of such village, which bonds shall bear interest at a rate to be determined by the village council of said village not to exceed six per cent (6) per annum, payable semi-annually and shall mature at such time as may be determined by said village council, not to exceed fifteen (15) years from the date of their issuance; such bonds shall be sold by the village council of such village in such manner as they shall deem advisable, but shall not be sold for less than their par value, and the proceeds arising from the sale thereof shall be applied to the payment of the debts of said village not represented by its bonds; *provided*, that this act shall apply only to such indebtedness as shall be actually existing against such village on the 1st day of April, 1903.

Indebtedness on April 1, 1903, only.

Proceedings to issue.

SEC. 2. Before bonds shall be issued pursuant to the provisions of section one (1) of this act the village council shall by resolution duly passed and recorded, authorize the issuance thereof, subject to the approval of the legal voters of said village and by such resolution the village council shall determine the amount of bonds to be issued, the rate of interest which they shall bear and the time of their maturity, and shall fix a time, either at an annual village election or a special election to be called for that purpose when the voters of such village shall vote upon the question of the issuance of such bonds.

The form of the ballot therefor shall be as follows:

Shall the village of _____ issue its bonds in the sum of \$_____ bearing interest at the rate of _____ per cent per annum, maturing _____ years after date thereof, pursuant to resolutions of the village council passed on the _____ day of _____, 190—.	Yes.	No.	Form of ballot, etc.

Voters who desire to vote for the issuance of such bonds shall place a cross (X) opposite the word "Yes" on said ballot, and those who desire to vote against the issuance of such bonds shall place a cross (X) opposite the word "No" on said ballot. The said election shall be conducted, and the votes cast thereat shall be canvassed and counted, and the result therefor certified in like manner as in the case of an election for village officers. If a majority of the voters who vote upon said question shall vote for the issuance of said bonds, then the same shall be issued by said council and sold but not otherwise.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 275.

R

S. F. No. 415.

An act to provide for and authorize the payment of a bounty for the arrest and conviction of any person or persons for horse stealing, where application for such bounty has not heretofore been made by the person or persons claiming the same, within twenty days after the conviction of the criminal.

Horse thief
bounty, in
certain cases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That whenever any person or persons, claiming a bounty for the arrest and conviction of any person or persons, under the provisions of section 7869 of the General Statutes of Minnesota for 1894, as amended by chapter 97 of the laws of 1897 and by chapter 212 of the laws of 1901, has failed to apply to the judge, or to file such application with the clerk, of the district court of the county wherein such conviction was had, for the order on the clerk for the certificate provided in section 7870 of the General Statutes for 1894, any such person or persons, so claiming such bounty and failing to make the application aforesaid within the time provided and limited

Proceedings.

Time and
place for
hearing evi-
dence.

in said section, may within thirty days from the taking effect of this act, file with the clerk of the district court of the county wherein such conviction was had, an application to the judge of said court for an order on the clerk thereof for the certificate provided for in said sections 7869 and 7870; and the judge of said court is hereby authorized and empowered to, and shall thereupon, in the same manner as if said application had been made within the time provided and limited by said section 7870, appoint a time and place for the purpose of taking and hearing evidence of the person or persons claiming such bounty, establishing their right thereto, who shall be notified by the clerk of said court of the time and place for hearing the same; and if, after hearing such evidence, it shall appear to the satisfaction of said judge that any person or persons applying therefor are entitled to such bounty, he shall apportion the same among the claimants, if more than one, and make an order directing the clerk to issue a certificate or certificates therefor; each and every such person so applying for such bounty shall pay all costs and expenses made by him or them. *Provided*, that no application shall be considered where the conviction occurred more than six months prior to the passage of this act.

Certificate
from clerk
of court.

SEC. 2. Upon the presentation of such certificate or certificates from the clerk of said court, setting forth the object for which the same was issued, to the treasurer of the proper county, such person or persons shall be entitled to receive, and there shall be paid to such person or persons by such county treasurer, the bounty provided for in said section 7869, as amended as aforesaid; and such county treasurer shall take a receipt for the same, setting forth the object for which it was paid; which certificate and receipt shall be forwarded to the state auditor who shall, at the next settlement, place a warrant for such amount into the hands of the state treasurer, to be credited upon the settlement with said county treasurer.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 276.

R

S. F. No. 358.

An act to define and regulate fraternal beneficiary associations, corporations and societies, and exempting the same and their buildings, and their assets, and all dues, assessments, money, benefits, reliefs and funds from the operation of certain provisions of the laws of this state relating to taxation, insurance, garnishment, attachment or seizure, and declaring them to be institutions of public charity.

Pertaining
to fraternal
associations.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That a fraternal beneficiary association is hereby declared to be a corporation, society or voluntary association formed or organized and carried on for the sole benefit of its members and their beneficiaries, and not for profit.

Organized
for.

Each association shall have a lodge system with ritualistic form of work, and representative form of government, and shall make provision for the payment of benefits in case of death, and may make provision for the payment of benefits in case of sickness, temporary or permanent physical disability, either as the result of disease, accident or old age, *provided* the period of life at which the payment of physical disability benefits on account of old age commences shall not be under seventy (70) years.

Period of
life for pay-
ment.

All subject to the compliance of its members with its constitution and by-laws. The funds from which the disbursements of such association shall be made shall be derived from assessments and dues collected from its members.

Payment of death benefits shall be to the families, heirs, blood relatives, affianced husband or affianced wife of or to persons dependent upon the member. Any such fraternal beneficiary association may create, maintain, disburse and apply a reserve or emergency fund, in accordance with its constitution or by-laws, and every such association shall be deemed and held to be institutions of public charity.

Payments
made, to
whom.

The term, "fraternal beneficiary association," wherever used in this act, or in any other law of this state hereafter enacted, shall be construed to mean any association such as is defined in this section.

Not liable
to attach-
ments or
garnishment.

Buildings
exempt from
taxation.

Must be
occupied by
association.

SEC. 2. The money, or other benefit, charity, relief or aid to be paid, provided or rendered by any association authorized to do business under this act shall not be liable to attachment, garnishment or other process, and shall not be seized, taken, appropriated or applied by any legal or equitable process or by operation of law to pay any debt or liability of a certificate holder or of any beneficiary named in any certificate or any person who may have any right thereunder. And the buildings and other property used by said association in carrying on its business, and all dues, assessments and other payments and the accumulations thereof, held and possessed by said association for the payment of death, sick or disability benefits, and the reserve, emergency and other mortuary funds of said association shall be exempt from taxation for state, county and municipal purposes;

Provided, that nothing in this act shall be construed to exempt from taxation any real estate owned by any association incorporated or doing business under the provisions of this act, except such as is occupied exclusively by such association in carrying on its business.

SEC. 3. This act shall apply to and govern any and all associations, corporations and societies heretofore organized or authorized to do business in this state and now or hereafter operating upon a plan in accordance with the provisions of this act.

SEC. 4. Any and all acts and parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

S. F. No. 307.

CHAPTER 277.

R

An act to permit one or more school districts adjoining a school district which maintains a state graded or a state high school to consolidate with the latter, and for the transportation of children to and from school at public expense.

Be it enacted by the Legislature of the State of Minnesota:

Permitting
adjoining
school dis-
tricts to con-
solidate.

SECTION 1. Any school district or several school districts may be consolidated with an adjoining school district which maintains a state graded or a state high school,

in the manner hereinafter described and the limitations as to territory now provided by law for independent and common school districts shall not apply to districts consolidated under the provisions of this act.

SEC. 2. Whenever a petition signed by a majority of the resident freeholders of each of the districts, including the district which maintains a state graded or a state high school, which are proposed to be consolidated (which fact shall in said petition be certified to by the clerks of the several districts) is presented to the superintendent of schools of the county wherein that one of the districts which maintains a state graded or a state high school lies in whole or in major part, he shall within ten (10) days cause written or printed notices to be posted in three (3) of the most public places in each of said districts, requesting the qualified electors thereof to assemble at some specified time in some specified place in the district which maintains a state graded or a state high school, for the purpose of voting by ballot for or against the consolidation of said districts. The notice of such meetings shall be posted at least ten (10) days prior to the date of such meeting.

Petition by
resident free-
holders.

Posting
notices.

SEC. 3. The electors of the several districts assembled pursuant to such notices shall proceed to elect from their own number a chairman, assistant chairman, and a clerk, who shall be judges of election. The electors in favor of the consolidation of the districts shall write, or have written or printed, upon their ballots the words: "In favor of consolidation," and those opposed, "Against consolidation." The chairman of such meeting shall, within ten (10) days thereafter, certify the result of such vote to the superintendent of schools above specified.

Election of
officers.

Vote on
consolidation.

SEC. 4. If it shall appear from such report that a majority of the electors present and voting voted in favor of consolidating the districts, said superintendent shall, within ten (10) days thereafter, certify to the county auditor of each county wherein any of said districts lie that they have been consolidated into one district, the number of which shall be the number of that one of the districts which maintains a state graded or a state high school, which facts shall be immediately entered upon the records of said auditor or auditors. The auditor of the county in which that one of the districts which maintains a state graded or a state high school, lies in whole or in major

Certify to
county
auditor.

Notify clerks
of districts.

part, shall immediately notify the clerks of the several districts of said record of consolidation.

Turn over
funds.

Officers of
consolidated
district.

SEC. 5. Within ten (10) days from the receipt of the notice of record by the clerks of the several districts the officers of the several districts shall turn over to the officers of that one of the districts which maintains a state graded or a state high school the records, funds and effects belonging to their several districts. The said officers of the district which maintains a state graded or a state high school shall be the officers of the consolidated districts, and the organization of that district shall be the organization of the consolidated district, and the laws governing that district shall apply to the consolidated district when not inconsistent with the provisions of this act.

Transportation
of children.

SEC. 6. The board of education or the board of trustees of any district consolidated from other districts, under the provisions of this act, shall have power to provide for the transportation of children to and from school at public expense, subject to such rules and regulations as they may adopt; *provided, however*, that every person employed for this purpose shall be required to give a reasonable bond for the faithful discharge of his duties as prescribed by said board of education, or board of trustees.

Rights of
consolidated
district.

SEC. 7. Districts organized by consolidation of other districts, under the provisions of this act, shall succeed to all their rights and be subject to all the liabilities of the several consolidated districts.

SEC. 8. Nothing in this act shall be construed to prevent school districts consolidating and organizing under the provisions of chapter 262, General Laws of 1901, at their option.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 278. *R.*

S. F. No. 161.

An act to prevent pilfering grain, flaxseed or other property from any car or sweeping any car while in transit, or on any track of any railroad, or in any railroad yards, or on any siding in the State of Minnesota.

Prevents
stealing from
cars.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That any person, not the owner or his agent, or having charge of a car for the purpose of loading the same, who takes from any railroad car while the same is in transit, or in the yards, or on any siding or any track of any railroad in this state, any grain or flaxseed, or sweeps any railroad car while in transit or standing on any railroad track in this state, shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding one hundred dollars (\$100) or by imprisonment in the county jail not exceeding ninety (90) days, or by both such fine and imprisonment.

Guilty of
misdemeanor.

Punishment.

SEC. 2. That on the trial of any defendant charged with the violation of section 1 of this act it shall not be necessary to show that defendant is not in the employ of the railroad company or acting under its authority in doing the acts complained of, but the fact of the sweeping of any car shall be prima facie evidence that such sweeping was in violation of section 1 of this act. But the defendant may prove as a complete defense, that he was the owner of the property taken or his agent or that he was in the employ of the railroad company having charge of the car swept.

Fact to be
prima facie
evidence.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 279.

S. F. No. 400.

An act to legalize the formation and organization of school districts in certain cases, and to validate, confirm and ratify the acts of such districts in the issuance of bonds, and to legalize and validate the same.

Legalizing for
mation of
school
districts.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That all common school districts in this state which have been formed and set apart by the board

Defining
cases
affected.

of county commissioners of any county or counties, and which subsequent to such formation have attempted to organize and have elected officers and held meetings, and have since and are now acting in all things as though they were legally formed and organized, be and the same are hereby declared to be legal and duly formed, constituted and organized common school districts for all purposes, notwithstanding any irregularities in the posting of notices, prior to the formation by the county commissioners, or subsequent thereto, for purposes of organization, and irregardless of the number of places in which said notices have been posted, or the places themselves, or the number of signers of such notices.

Bonds not
deemed in-
valid.

SEC. 2. That all bonds issued or attempted to be issued by any school district or school districts described in section one (1) of this act, which have been issued and sold prior to the passage of this act, shall not be deemed invalid or affected by any omission or irregularity of procedure on the part of the officers of the county or of the electors of such school districts, in the matter of formation and organization, but that the said bonds shall be and are hereby declared valid and binding obligations of the districts issuing and selling the same. *Provided*, that this act shall not apply to bonds in process of litigation.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

S. F. No. 387.

CHAPTER 280.

R

Terms of
court in
18th district.

An act to amend section two (2) of chapter three hundred and seventy-nine (379) of the General Laws of one thousand eight hundred and ninety-seven (1897), being an act for the establishment of a new judicial district to be known as the Eighteenth (18th) judicial district, to fix the date for holding court therein, and otherwise to regulate the same in connection with the Fourth judicial district.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section two (2) of chapter three hundred and seventy-nine (379) of the General Laws of

one thousand eight hundred and ninety-seven (1897), be and the same is hereby amended so as to read as follows:

Section 2. The terms of court in said district in each of said counties shall be held as follows:

In the county of Anoka, on the third Monday in March and the second Monday in October of each year. Anoka county.

In the county of Isanti, on the third Monday in April and the fourth Monday in September of each year. Isanti county.

In the county of Wright, on the first Monday in June and the first Monday in December of each year. Wright county.

In the county of Sherburne, on the fourth Monday in March of each year, and all laws providing for another term of court in Sherburne county are continued in force. Sherburne county.

Provided, that no grand or petit jury shall be drawn or summoned for the term to be held on the third Monday in April in Isanti county unless the court shall so direct by a written order made and filed with the clerk of court of said Isanti county at least twenty (20) days before the holding of said term of court. Drawing of juries.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 281.

S. F. No. 340.

An act to confirm, legalize and validate bonds heretofore issued by common, independent or special school districts in certain cases.

Legalizing bonds.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That all bonds heretofore issued and sold for the purpose of building, altering, repairing, equipping or furnishing a schoolhouse or schoolhouses, or for the purchase of a school site or sites, or for one or more of such purposes, by any school district in this state, whether common, independent or special, and whether organized under either a general or special law, and which bonds have been issued for a period of less than five years, or for a period exceeding fifteen years, and which bonds, prior to the issuance thereof, were authorized by a majority vote of the legal voters of such school district who

Bonds authorized by legal voters.

were present and voting at any regular or special meeting duly called for that purpose, are hereby in all things confirmed, legalized and validated and hereby declared to be legal and binding obligations upon the district issuing the same; *provided*, this act shall not apply to any suit now pending relative to the legality of any bonds so issued.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

S. F. No. 285.

CHAPTER 282. *R*

An act to amend section 897 of chapter nine (9) of the Statutes of Minnesota for the year 1894, relating to resignations, vacancies and removals.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 897 of chapter nine (9) of the Statutes of Minnesota for the year 1894, be, and the same hereby is, amended so as to read as follows:

Fees of
commissioner.

Section 897. The fees of commissioner for such services shall be the same as now allowed by law to referees in actions brought in the district courts of this state, and shall be paid out of moneys not otherwise appropriated, on the order of the governor; and on presentation of such order to the auditor of the state, he shall draw his warrants on the state treasurer in favor of the person entitled to the same; *provided*, that when testimony is taken for and against a county officer, like fees of the commissioner shall be paid by the county wherein such officer was elected, and be allowed in the same manner as other claims against the county. And, *provided further*, in all such proceedings against a county officer, when testimony has been heretofore, or shall be hereafter taken by a shorthand reporter, the fees and compensations of such reporter shall be the same as are now allowed district court reporters for like service, and the county commissioners are authorized and directed, to provide for the payment of such reporter for such services; but if the said stenographic services have been, or shall be, performed by a commissioner, appointed by the governor of this state, as hereinbefore provided, then, and in such,

Paid by
county.

Reporters
fees.

Appointed
by governor.

event, such commissioner shall be paid by said county only the stenographic fees herein specified.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 283. *R*

S. F. No. 427.

An act preventing and restraining the exposure of clipped animals.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Every person in custody of a horse, mule or other animal which has been clipped or sheared by having its hair removed from its body by the use of clippers or shears, who causes or permits such horse, mule or animal to stand on the highways, streets or other places not sheltered, within sixty days after the date of such clipping or shearing, without being blanketed, between the first of November and the first day of May, shall be guilty of a misdemeanor.

Regulating
clipping
of horses.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

CHAPTER 284. *R*

S. F. No. 330.

An act to authorize and empower cities in the State of Minnesota having a population of ten thousand inhabitants or less to acquire by condemnation proceedings waterworks plants and issue bonds in payment therefor.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. All cities in the State of Minnesota having a population of ten thousand inhabitants or less are hereby authorized and empowered to acquire(d) by condemnation proceedings for the public use, free from all liens and encumbrances whatsoever, all or any waterworks, including all machinery, pipes, reservoirs, franchises, lands and buildings and everything necessary to the use and operation of said works and plants or any part thereof in the manner hereinafter provided.

Condemnation
proceedings
for water
works plants.

Presentation of petition. **SEC. 2.** The proceedings to condemn such property and franchises, or any and all thereof, shall be instituted by the presentation of a petition in the name of the city by the city attorney of such city when directed so to do by a resolution of the common council of such city, passed by a majority vote of all members elected to such council, to the district court of the judicial district in which such city shall be situated, setting forth a description of the property and franchises to be condemned with reasonable certainty and the names of the owners thereof and of all persons or corporations having or claiming any right, title, or interest therein as owners or lienors or otherwise so far as the same appears of record in any county in which said city or any part thereof may be situated and praying that such city may be authorized to take and hold said property and franchises forever for the public use, free from all liens or encumbrances whatever, upon making just compensation therefor, and that commissioners of appraisal be appointed to ascertain the just compensation to be made to any person or corporation in any manner interested therein.

Description of property.

For public use.

Notice to owners. **SEC. 3.** There must be annexed to such petition a notice addressed to the owners, lienors and other persons interested specifically named in the petition and generally to all other persons and corporation having or claiming any right, title or interest in the property and franchises described in said petition and sought to be condemned, whether as owner, lienor or otherwise, specifying the time and place at which such petition will be presented to the court.

Service of notice. **SEC. 4.** Such petition and notice shall be served at least eight days before the day named in such notice for the presentation of such petition to the court upon such of the owners and lienors specifically named in the petition as can with reasonable diligence be found within the state in the same manner as personal service of the summons in civil action in the district court is by law required to be made, and upon such as cannot be found within the state, and upon all other persons and corporations having or claiming any right, title or interest in or lien upon the property and franchises described in said petition, whether as owner, lienor or otherwise, by the publication of such petition and notice in a daily newspaper published in such city, if such there be, for ten con-

Publication of notice.

secutive days excluding Sunday, ending at least eight days before the day named in such notice for the presentation of such petition and, in case there shall be no such daily newspaper published in such city, the term "daily newspaper" being deemed and taken to mean a newspaper published on each day of the week, excepting Sunday, then the same shall be published for two consecutive weeks in some weekly newspaper published in said city, the last publication to be at least eight days before the day named in such notice for the presentation of such petition and, in case there shall be no daily or weekly newspaper published in such city, then such notice and petition shall be published in the manner provided by law for the publication of a summons in a civil action and, in such case, the last publication shall be at least eight days before the day named in such notice for the presentation of such petition.

SEC. 5. Upon the presentation of said petition and notice and proof satisfactory to the court of the service thereof as hereinbefore required the court at the time specified in the notice or at any time to which the hearing shall be adjourned or continued by the court, shall make an order authorizing the city presenting such petition to take and hold the property and franchises described in such petition forever for the public use free of all liens and encumbrances whatsoever upon making just compensation therefor, *provided* the property and franchises described in such petition are such as the condemnation thereof is by this act authorized, and, in case any property, or franchises are attempted to be described in said petition, the condemnation of which is not herein authorized, the said court shall at the time of making of such order specify the same in such order and the same shall thereupon be deemed and taken to be stricken out of such petition and shall not be further considered in such proceeding, and the court shall further appoint in and by such order three disinterested freeholders, residents of the State of Minnesota, commissioners to ascertain the just compensation to be made to any person or corporation in any manner interested therein and the court shall by such order fix the time and place for the first meeting of the commissioners and any person or corporation having or claiming any interest whatsoever in the said property or franchises shall have a right to be

For the
public use.

Commissioners
to ascertain
just com-
pensation.

heard in person or by attorney upon any subsequent application to the court and to be so heard and present his proofs upon any hearing before the commissioners.

Written
notice of
appearance.

SEC. 6. No person or corporation shall be entitled to any notice of proceedings subsequent to the making of the order provided for by the last section other than notice by publication as hereinafter required unless he shall serve upon the attorney of the petitioner a written notice of his appearance naming a place where notices may be served upon him within the state, in which case eight days written notice of such subsequent proceedings shall be given him by leaving the same at the place so named.

Publication
in daily
newspaper.

SEC. 7. The commissioners shall cause to be published in a daily newspaper published in said city, if there be one, for ten consecutive days exclusive of Sunday, a notice setting forth a time and place at which they will hold a public meetings at which they will hear the proofs and allegations of the parties interested which shall be the time and place fixed by the order as hereinbefore required, such hearing may be adjourned from time to time as the commissioners may deem proper.

In case there shall be no daily newspaper published in said city, the notice provided for in this section shall be published in some weekly newspaper published in said city for at least two consecutive weeks prior to the date of such hearing and, in case there shall be no such newspaper published in such city then a copy of such notice shall be posted in three (3) public places in said city one of which shall be the United States postoffice.

Proof of
notice.

Proof of the publication or posting of all notices provided for in this act shall be made as provided by law for the proof of the publication of a summons in a civil action in the district court and by the affidavit of the person posting such notice filed with the clerk of the district court of the county in which the proceedings herein provided for shall be pending. In case said commissioners shall fail to meet at the time and place appointed in such order or in case notice of such meeting shall not have been given as herein required said court may without notice make and file with the clerk of said court in which such proceeding shall be pending another order of like import as the first fixing another time and place for the meeting of said commissioners in which case like

Failure to
meet at
time.

proceedings shall be had as are herein provided for on the filing of the original order fixing such time and place.

SEC. 8. Before proceeding the commissioners shall take and subscribe the oath of office, provided by law for referees. Any of them may issue subpoenas and administer oaths. A majority of them may adjourn the proceedings before them from time to time in their discretion. They shall view the property described in the petition and shall hear the proofs and allegations of all persons interested and reduce the testimony taken by them, if any, to writing, and after the testimony is closed, they, or a majority of them all, being present without unnecessary delay shall ascertain and determine the compensation which ought justly to be made by said city to each person or corporation having any interest in or lien upon the property and franchises condemned.

Majority
may adjourn
proceedings.

SEC. 9. The commissioners shall make a report of their proceedings and determination to the district court by filing the same in the office of the clerk of the court in which the proceedings are pending with the minutes of the testimony taken by them, if any. They shall be entitled to five dollars (\$5) for service for every day they are actually engaged in the performance of their duties and their necessary expenses to be paid by the petitioner.

To report
proceedings.

SEC. 10. Upon filing the report of the commissioners the petitioner shall apply for its confirmation at any general or special term of the district court held in the county where such proceedings are pending. Notice of such application stating that the report has been filed in the office of the clerk of such court and is open for inspection free of charge, shall be given in the same manner as is herein provided for giving notice of the meeting of such commissioners, at least, eight days before the day specified for the making of such application. Upon such application the court may confirm the report or may set it aside for irregularity or for error of law on the proceedings before the commissioners or upon the ground that the award in whole or in part is excessive or is insufficient. If the report is set aside, the court may direct a rehearing before the same commissioners or may appoint new commissioners for that purpose and the proceedings upon such rehearing shall be conducted in the same manner and upon the same notice as is provided

Court may
confirm report.

May appeal
from order.

for the original hearing and the same proceedings shall be had for the confirmation of the second report as are herein prescribed for the confirmation of the first report. The petitioner, or the owner of said property and franchises, or any person or corporation having a lien or interest as aforesaid, feeling aggrieved by said report of the commissioners may appeal from the order confirming or refusing to confirm or modifying the same to the supreme court. Said appeal shall be heard as other appeals and the supreme court may affirm, reverse, or modify the order appealed from. If the supreme court reverse or modify said order, the said proceedings shall be remanded to said district court with directions to appoint new commissioners or order a rehearing or take such other steps as said supreme court may direct and if new commissioners are appointed or a rehearing is had the proceedings on such rehearing shall be conducted in the same manner and upon the same notice as provided herein for the original hearing.

Enter
final order.

When the report is confirmed, the court shall enter a final order in the proceedings which shall be binding upon all persons having any interest in the property and franchises condemned, directing that compensation be made pursuant to the determination of the commissioners and that the petitioner shall thereupon be entitled to take and hold forever the property and franchises condemned for the public use. Payment of the compensation to the clerk of said district court to the credit of any person or corporation mentioned in said order, shall be deemed a payment within the provisions of this act.

Possession
after pay-
ment.

SEC. 11. Immediately upon payment being made as hereinbefore provided, the said city shall be entitled to enter into the possession of the condemned property and franchises and hold the same in fee for the public use.

Bonds
sufficient
to pay
amount.

SEC. 12. The proper officers of such city are hereby authorized and directed to issue and sell in the same form and manner as is now provided for issuing and for selling duly authorized bonds of such city, bonds sufficient to pay the amount or amounts directed by the final order to be paid. Such bonds may be issued by a vote of the members elect of the common council of such city without the submission of the question to a vote of the people and without regard to the amount of the indebtedness of said city and no bonds issued pursuant to the pro-

visions of this act shall be deemed or taken to be a part of the indebtedness of any such city within the purview of any statute limiting the amount of the indebtedness to be incurred by any such city, and the authority herein given to issue bonds shall be deemed and taken to be in addition to all other acts authorizing the issuance of bonds and shall not be construed in any manner to modify or limit the right of any such city to issue bonds in any other act, *provided* the bonds so issued shall be payable in thirty years from the date of issue and shall bear interest at a rate not to exceed five per cent (5 per cent) per annum and shall not be sold for less than par and shall be payable at such place as the common council of such city may designate.

Bonds payable in thirty years.

The proceeds of said bonds shall not be used for any purposes other than such as are herein provided, and the expenses of the proceedings herein provided for, and any member of the common council or officer of said city who shall vote for or in any manner participate in the appropriation or expenditure of any of the proceeds of any such bonds for any other purpose, shall be deemed guilty of a misdemeanor and punished as by law provided. All necessary expenses of the proceedings herein authorized shall be audited and paid by said city as other claims against said city are audited and paid.

Failure to use bonds as provided a misdemeanor.

SEC. 13. No condemnation shall be instituted under the provisions of this act until the same shall have been authorized by the legal voters of such city at a general or special election called for that purpose; such elections shall be called and conducted in the manner prescribed for municipals elections in such city and the notices of election shall contain a statement of the purpose for which the election is held, viz.: to acquire waterworks by condemnation proceedings and issuing bonds to pay for the same which election may be called by resolution of the common council passed by a majority vote of all members elected thereto, which resolution shall distinctly state the purpose of the election and the question to be submitted to the legal voters of such city. The ballot to be voted on under this act may read as follows: "In favor of the proposition to condemn waterworks and issue bonds in payment therefor." "Yes." "No."

Authorized by legal voters.

Form of ballot.

The voters voting in favor of such proposition shall mark a cross (x) opposite the word "Yes;" and those

voting against such proposition shall mark a cross (x) opposite the word "No," on said ballot in a space provided for that purpose. If a majority of the voters voting on said proposition shall vote in favor thereof then and in such case, the proceedings for condemnation therein provided for shall be taken. The votes cast at such election shall be counted, returned and canvassed the same as at other municipal elections and the result certified to the clerk or recorder by the canvassing board.

Not apply
to water
works operated
with light
plant.

SEC. 14. This act shall in no wise apply to water-works plants which are used or operated in connection with any electric light plant, nor to cities now having and owning a system of waterworks.

SEC. 15. Any proceedings by this act authorized must be instituted within one year from the approval of this act, and if such proceedings are not so instituted by any city within such period, it shall thereafter have no power or authority to proceed as in this act provided.

SEC. 16. This act shall take effect and be in force from and after its passage.

Approved April 18, 1903.

H. F. No. 908.

CHAPTER 285.

An act to appropriate money for the general expense of the state government and for other purposes.

Be it enacted by the Legislature of the State of Minnesota:

Money for
state gov-
ernment.

SECTION 1. That the sums of money hereinafter named, or so much thereof as may be necessary are hereby appropriated from any moneys in the state treasury not otherwise appropriated, for the purposes named in the following sections of this act:

SEC. 2. Miscellaneous appropriations for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903), and for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), and for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).

Appraising
and selling
state lands.

First: For expenses examining, appraising and selling state lands, estimating and scaling pine timber, detecting trespass upon and caring for the public lands belonging to the state; for inspecting the output of iron

ore and other minerals on state lands, and for expenses incurred in prosecuting for trespass upon public lands of the state for the fiscal year ending July 31st, nineteen hundred and four (1904), twelve thousand (12,000) dollars.

Second: For the same purpose for the fiscal year ending July thirty-first (31st) nineteen hundred and five (1905), twelve thousand (12,000) dollars.

Third: For expenses in selecting and examining swamp lands for the grant of state institutions, and examining vacant government lands for indemnity school land selections, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), two thousand (2,000) dollars.

Swamp
lands.

Fourth: For the same purpose for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), two thousand (2,000) dollars.

Fifth: For the fees for registers and receivers of United States land offices in making abstracts of final entries of public lands for taxation, as provided by section one hundred and eighteen (118) of the General Tax Laws, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), two hundred (200) dollars.

Sixth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), two hundred (200) dollars.

Seventh: For the payment of fees of referees of the district courts as provided by section fifty-five (55) of the General Laws of eighteen hundred and eighty-five (1885), for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), six hundred (600) dollars.

Fees of
referees.

Eighth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), six hundred (600) dollars.

Ninth: For the payment of expenses of requisitions of fugitives from justice and rewards for detecting criminals for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), two thousand (2,000) dollars.

Requisitions.

Tenth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), two thousand (2,000) dollars.

**Expense
of sheriffs.**

Eleventh: For the expenses of sheriffs conveying prisoners to the state prison and reformatory, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), twelve thousand (12,000) dollars.

Twelfth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), twelve thousand (12,000) dollars.

**Contingent
expenses.**

Thirteenth: For additional allowance for contingent expenses of the supreme court, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), seven hundred and fifty (750) dollars.

Fourteenth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), seven hundred and fifty (750) dollars.

**Board of
equalization.**

Fifteenth: For the mileage and per diem of the state board of equalization, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), three thousand five hundred (3,500) dollars.

Sixteenth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), three thousand five hundred (3,500) dollars.

**Land com-
missioner.**

Seventeenth: For the additional allowance for contingent expenses of the state auditor's land commissioner's department, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), five hundred (500) dollars.

Eighteenth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), five hundred (500) dollars.

Nineteenth: For allowance for extra land clerks in the state auditor's office, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), twenty-seven hundred dollars (\$2,700).

Twentieth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), twenty-seven hundred (2,700) dollars.

**Extra clerks
in auditor's
office.**

Twenty-first: For allowance for extra clerks in the state auditor's office, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), one thousand (1,000) dollars.

Twenty-second: For the same purpose, for the fiscal year ending July thirty-first (31st) nineteen hundred and five (1905), one thousand (1,000) dollars.

Twenty-third: For extra janitors for state capitol, Janitors.
for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), in addition to other appropriations allowed thirty-two hundred (3,200) dollars.

Twenty-fourth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), thirty-two hundred (3,200) dollars.

Twenty-fifth: Additional salary of the engineer of the state capitol, as authorized by chapter ninety-nine (99) General Laws of eighteen hundred and ninety-three (1893), for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904) and annually thereafter, three hundred dollars (\$300). Engineer.

Twenty-sixth: For additional salary for the stenographer in the attorney general's department for each of the two fiscal years ending July thirty-first (31st), nineteen hundred and five (1905), three hundred (300) dollars.

Twenty-seventh: For repairs and furnishing capitol, Repairs capitol.
for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), one thousand (1,000) dollars.

Twenty-eighth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), one thousand (1,000) dollars.

Twenty-ninth: For fuel, lights, water, etc., for the state capitol for the fiscal year ending July thirty-first (31st) nineteen hundred and four (1904), four thousand eight hundred (4,800) dollars.

Thirtieth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), four thousand eight hundred (4,800) dollars.

Thirty-first: For rent of telephone instruments, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904) eight hundred (800) dollars. Rent of telephones.

Thirty-second: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), eight hundred (800) dollars.

Thirty-third: For forest preservation, as provided by chapter one hundred and ninety-six (196), General Laws of eighteen hundred and ninety-five (1895), for the fiscal year ending July thirty-first (31st) nineteen hundred and four (1904), five thousand (5,000) dollars. Forest preservation.

Thirty-fourth: For the same purpose, for the fiscal

year ending July thirty-first (31st), nineteen hundred and five (1905), five thousand (5,000) dollars.

Minnesota.
reports.

Thirty-fifth: For the purchase of Minnesota reports, as provided, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), thirty-four hundred (3,400) dollars.

Thirty-sixth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), thirty-four hundred (3,400) dollars.

Printing.

Thirty-seventh: For printing, advertising and binding, as may be provided by contract for the several state departments and officers, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), forty thousand (40,000) dollars.

Deputy.
insurance
commissioner.

Thirty-eighth: For the salary of the deputy insurance commissioner, as now provided by law, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), and annually thereafter, three hundred (300) dollars.

Public
instruction.

Thirty-ninth: For additional contingent allowance for superintendent of public instruction for each of the two fiscal years ending July thirty-first (31st), nineteen hundred and five (1905), the sum of five hundred (500) dollars.

Fortieth: For the payment of expressage and exchange on remittances of county treasurers to the state treasurer, and expense of collecting bond coupons, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), sixteen hundred (1,600) dollars.

Forty-first: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), sixteen hundred (1,600) dollars.

Contingent
fund attorney
general.

Forty-second: For the contingent fund of the attorney general in addition to the annual appropriation heretofore established by law, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), three thousand five hundred (3,500) dollars.

Forty-third: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), three thousand five hundred (3,500) dollars.

Contingent
fund treasurer.

Forty-fourth: For additional contingent fund for department of state treasurer, three hundred fifty (350),

dollars, each year for two years ending July thirty-first (31st), nineteen hundred and five (1905).

Forty-fifth: For salary of assistant bank examiner, eighteen hundred (1,800) dollars, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

Salary assistant bank examiner.

Forty-sixth: For the same purpose, for the year ending July thirty-first (31st), nineteen hundred and five (1905), eighteen hundred (1,800) dollars.

Forty-seventh: For check clerk in the state treasurer's department, made necessary by the board of control, twelve hundred (1,200) dollars, for the year ending July thirty-first (31st), nineteen hundred and four (1904).

Clerk treasurer's office.

Forty-eighth: For the same purpose, for the year ending July thirty-first (31st), nineteen hundred and five (1905), twelve (1,200) dollars.

Forty-ninth: For assistant engineer of the state capitol, nine hundred (900) dollars, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

Assistant engineer.

Fiftieth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), nine hundred (900) dollars.

Fifty-first: For the railroad and warehouse commission, for carrying out the provisions of the several laws under which they act, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), seventy-five hundred (7,500) dollars.

Railroad and warehouse.

Fifty-second: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), seventy-five hundred (7,500) dollars.

Fifty-third: For the use of the board of regents of the university in providing care and treatment for crippled and deformed children, under the provisions of chapter two hundred and eighty-nine (289), General Laws of eighteen hundred and ninety-seven (1897), for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), twelve thousand five hundred (12,500) dollars.

Board of regents.

Fifty-fourth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), twelve thousand five hundred (12,500) dollars.

Fifty-fifth: For the allowance of extra clerk in the

Extra clerk
to supt.
of public
instruction.

office of the state superintendent of public instruction, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), nine hundred (900) dollars.

Fifty-sixth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), nine hundred (900) dollars.

Governor's
contingent.

Fifty-seventh: For additional allowance for contingent expenses in the office of the governor, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), two thousand (2,000) dollars.

Fifty-eighth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), two thousand (2,000) dollars.

Extra clerk
insurance
department.

Fifty-ninth: For allowance of extra clerks in the state insurance commissioner's office, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), three thousand (3,000) dollars.

Sixtieth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), three thousand (3,000) dollars.

Itasca Park.

Sixty-first: For the maintenance and improvement of Itasca State Park, to be expended by the commissioners of said park under the direction of the state auditor, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), six hundred (600) dollars.

Itasca Park.

Sixty-second: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), six hundred (600) dollars.

Traveling
libraries.

Sixty-third: To carry out the provisions of chapter three hundred and fifty-three (353) General Laws of eighteen hundred and ninety-nine (1899), relating to system of traveling libraries, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), six thousand (6,000) dollars.

Sixty-fourth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), six thousand (6,000) dollars.

Governor's
stenographer.

Sixty-fifth: For addition to salary of governor's stenographer, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), three hundred (300) dollars.

Sixty-sixth: For the same purpose, for the fiscal year

ending July thirty-first (31st), nineteen hundred and five (1905), three hundred (300) dollars.

Sixty-seventh: For additional salary to governor's messenger for fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), two hundred (200) dollars. Messenger.

Sixty-eighth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), two hundred (200) dollars.

Sixty-ninth: For the purpose of improving, beautifying and maintaining the Camp Release Park and monument, situated in the town of Camp Release, Lac qui Parle county, to be expended under the direction and control of L. R. Moyer, H. E. Hoard and G. S. Williams of the village of Montevideo, Minnesota, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), one hundred (100) dollars. Camp Release Park.

Seventieth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), one hundred (100) dollars.

Seventy-first: For printing the proceedings of the Minnesota Educational association, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), eight hundred (800) dollars. Minnesota Educational association.

Seventy-second: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), eight hundred (800) dollars.

Seventy-third: For additional clerk hire in the state treasurer's department, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), six hundred (600) dollars. Additional clerk state treasurer.

Seventy-fourth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), six hundred (600) dollars.

Seventy-fifth: For publishing laws of the legislature for the session of nineteen hundred and three (1903), for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903), forty thousand (40,000) dollars. Publishing laws.

Seventy-sixth: For reports from commercial agencies on sureties on state depositories' bond for each of the two fiscal years ending July thirty-first (31st), nineteen hundred and four (1904) and nineteen hundred and five (1905), two hundred (200) dollars. Reports on state depositories bonds.

State horti-
cultural society

Seventy-seventh: For addition to the standing appropriations for the maintenance of the state horticultural society, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), five hundred (500) dollars.

Seventy-eighth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), and annually thereafter, five hundred (500) dollars.

Disbarment
cases; Lee
and Bearns.
Braggans,
referee.

Seventy-ninth: For the purpose of paying for services and expenses in the disbarment cases of Orris E. Lee and James N. Bearns, and for the services and expenses of W. O. Braggans, referee, for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903), five hundred and thirty-four and eighty-two hundredths (534.82) dollars.

State board
of health
laboratory.

Eightieth: For the expenses of the state board of health in maintaining a laboratory, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), ten thousand (10,000) dollars.

Eighty-first: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), ten thousand (10,000) dollars.

Vital statis-
tics, additional

Eighty-second: For the expenses of the state board of health in addition to the annual appropriation heretofore established by law for the collection of vital statistics, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), five hundred (500) dollars.

Eighty-third: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), five hundred (500) dollars.

Examination
of water
supplies.

Eighty-fourth: For the purpose of carrying on chemical examinations of water supplies of the State of Minnesota by state board of health for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), five hundred (500) dollars.

Eighty-fifth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), five hundred (500) dollars.

Non-resident
smallpox
cases.

Eighty-sixth: For the purpose of paying the indebtedness of the State of Minnesota for indebtedness heretofore incurred and approved by the state board of health, for the purpose of caring for non-resident smallpox cases,

for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903), ten thousand (10,000) dollars.

Eighty-seventh: For the purpose of paying the indebtedness of the State of Minnesota for the care of individuals who are non-residents of the state, afflicted with contagious or infectious diseases for which said State of Minnesota is liable, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), two thousand five hundred (2,500) dollars.

Other
diseases.

Eighty-eighth: For the same purpose for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), two thousand five hundred (2,500) dollars.

Eighty-ninth: For an emergency fund for the use of the state board of health in emergency cases in the detection, quarantine and suppression of contagious or infectious diseases in this state, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), five thousand (5,000) dollars.

Emergency
cases.

Ninetieth: For enforcing the provisions of chapter two hundred and ninety-one (291), General Laws of eighteen hundred and ninety-seven (1897), relating to the deportation of non-resident dependents for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), five thousand five hundred (5,500) dollars.

Deportation
of non-resi-
dent depend-
ents.

Ninety-first: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), five thousand five hundred (5,500) dollars.

Ninety-two: For the payment of the additional salary of the attorney general, as provided by law, for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903), seven hundred and fifty-eight and thirty-one hundredths (758.31) dollars.

Attorney
general,
additional
salary.

Ninety-third: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), and annually thereafter, thirteen hundred (1,300) dollars.

Ninety-fourth: For addition to the standing appropriation for the purpose of paying the salaries of the district court judges of the State of Minnesota, for the fiscal year ending July thirty-first (31st), nineteen hun-

District court
judges.

dred and three (1903), two thousand five hundred (2,500) dollars.

Ninety-fifth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), the sum of seven thousand (7,000) dollars.

Ninety-sixth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), seven thousand (7,000) dollars.

State art
society.

Ninety-seventh: For the use and support of the state art society, as created by law, for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903), to be expended under the direction and by authority of the governing board of said society, six hundred (600) dollars.

Ninety-eighth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), two thousand (2,000) dollars.

Ninety-ninth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five, two thousand (2,000) dollars.

Secretary of
state,
contingent.

One hundredth: For contingent expenses in the secretary of state's office for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903), the sum of one thousand (1,000) dollars.

One hundred and first: For contingent expenses in the secretary of state's office for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), and annually thereafter, two hundred (200) dollars.

State histor-
ical society.

One hundred and second: For the support of the state historical society, in lieu of all other appropriations whatsoever, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), and annually thereafter, fifteen thousand (15,000) dollars.

Summer
training
schools.

One hundred and third: For additional appropriations for summer training schools, seven thousand five hundred (7,500) dollars.

One hundred and fourth: For the same purpose, for the fiscal year ending July thirty-first (31st) nineteen hundred and five (1905), seven thousand five hundred (7,500) dollars.

Teachers'
examinations.

One hundred and fifth: For expenses of conducting teachers' examinations under chapter one hundred and one (101), General Laws of eighteen hundred and nine-

ty-nine (1899), for the fiscal year ending July thirty-first (31st), nineteen hundred and four, three thousand (3,000) dollars.

One hundred and sixth: For the same purpose, for the fiscal year ending July thirty-first (31st) nineteen hundred and five (1905), three thousand (3,000) dollars.

One hundred and seventh: Contingent funds for conducting examinations for state professional certificates by the department of public instruction, for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903), seven hundred and fifty (750) dollars.

Examination
for professional
certificates.

One hundred and eighth: For additional allowance for public school libraries, for the fiscal year ending July thirty-first (31st) nineteen hundred and four (1904), five thousand (5,000) dollars.

School
libraries,
additional.

One hundred and ninth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), five thousand (5,000) dollars.

One hundred and tenth: For the improvement, care of and maintenance and promoting the state park at the Dalles of the St. Croix, for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903), seven hundred (700) dollars; also for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), seven hundred (700) dollars.

Interstate
Park.

One hundred and eleventh: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), seven hundred (700) dollars.

One hundred and twelfth: For the purpose of refunding moneys paid by sundry persons under the inheritance tax law of the session of nineteen hundred and one (1901), which law was declared void, nine thousand six hundred and forty-one and eighty-six hundredths (9,641.86) dollars.

Refundment,
inheritance
tax law
of 1901.

One hundred and thirteenth: For acquiring title by the state to lands within the original limits of Itasca State Park, as defined in chapter fifty-six, General Laws of eighteen hundred and ninety-one (1891), as amended by chapter one hundred and six (1906), General Laws of eighteen hundred and ninety-five (1895), and to include the acquisition of lot two (2), section nineteen

Itasca State
Park, ac-
quiring land
titles.

(19), township one hundred and forty-three (143), range thirty-five (35), and lots two and three (2 and 3), section twenty-four (24), township one hundred and forty-three (143), range thirty-six (36), to be expended by the governor and attorney general, in accordance with the provisions of chapter one hundred and six (106), General Laws of eighteen hundred and ninety-five (1895), and chapter three hundred and three (303), General Laws of eighteen hundred and ninety-nine (1899), in addition to the standing appropriation, to be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), twenty thousand (20,000) dollars.

Fire protection.

One hundred and fourteenth: For fire protection in Itasca State Park, five hundred (500) dollars.

Planting and caring for pine.

One hundred and fifteenth: For planting and caring for pine in Itasca State Park, to be expended under the direction of the attorney general, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), the sum of fifty (50) dollars.

One hundred and sixteenth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), fifty dollars.

Insurance commissioner, contingent.

One hundred and seventeenth: For contingent expenses in the office of the insurance commissioner for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), seven hundred (700) dollars.

One hundred and eighteenth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), seven hundred (700) dollars.

Drainage.

One hundred and nineteenth: For the drainage of swamp and marshy lands of the state, to be expended under the supervision of the drainage commission of the state, as provided by chapter ninety (90), General Laws of nineteen hundred and one (1901), for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), twenty-five thousand (25,000) dollars.

One hundred and twentieth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), twenty-five thousand (25,000) dollars.

Public examiner, additional.

One hundred and twenty-first: For the office of the public examiner, in addition to standing appropriations,

for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), six thousand (6,000) dollars.

One hundred and twenty-second: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), six thousand (6,000) dollars.

One hundred and twenty-third: For the additional salary of the dairy and food commissioner for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904) two hundred (200) dollars.

Dairy and food commission, additional salary.

One hundred and twenty-fourth: For the same purpose for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), two hundred (200) dollars.

One hundred and twenty-fifth: For allowance additional to the regular standing appropriation of the dairy and food department, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), twelve thousand (12,000) dollars.

Standing appropriation, additional.

One hundred and twenty-sixth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), twelve thousand (12,000) dollars.

One hundred and twenty-seventh: For addition to standing appropriation of bureau of labor for two additional inspectors and for their traveling and incidental expenses, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), four thousand (4,000) dollars.

Bureau of labor, two additional inspectors.

One hundred and twenty-eighth: For the same purpose, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), four thousand (4,000) dollars.

One hundred and twenty-ninth: For use in carrying out the provisions of chapter eighty-six (86) of the General Laws of the extra session of nineteen hundred and two (1902), in addition to moneys appropriated by said act, ten thousand (10,000) dollars.

Prosecution of cases against railroad companies, additional.

One hundred and thirtieth: For the purpose of completing the work of the preservation of the original records of the Civil war, as provided by chapter two hundred and eleven (211), General Laws of nineteen hundred and one (1901), two thousand (2,000) dollars.

Preservation of civil war records.

Legislative
expense, 1903.
additional.

One hundred and thirty-first: For additional provision for the payment of the expense of the legislative session of nineteen hundred and three (1903), twenty thousand (20,000) dollars.

Printing, ad-
vertising and
binding, 1905.

One hundred and thirty-second: For printing, advertising and binding, as may be provided by contract for the several state departments and officers, for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905), seventy-five thousand (75,000) dollars.

Superintendent
of public in-
struction,
1903.
Salary,
additional.

One hundred and thirty-third: For additional salary of the superintendent of public instruction, for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903), two hundred and fifty (250) dollars.

Same 1904-
1905.

One hundred and thirty-fourth: For the same purpose, for each of the two fiscal years ending July thirty-first (31st), nineteen hundred and five (1905), five hundred (500) dollars.

State auditor,
additional
salary,
accountant.

One hundred and thirty-fifth: For additional salary for accountant in office of state auditor, three hundred (300) dollars, for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904), and annually thereafter.

Disbarment
proceedings.

One hundred and thirty-sixth: For provision for the payment of the expense of disbarment proceedings of attorneys as provided by law, during the two fiscal years ending July thirty-first (31st), nineteen hundred and five (1905), the sum of five hundred (500) dollars.

Miscellaneous.

SEC. 3. Miscellaneous Appropriations—

Commissioner
Itasca State
Park.

First: To settle and satisfy in full the indebtedness of the state to J. V. Brower, commissioner of Itasca State Park, for expense incurred and services rendered in connection with the establishment of said park, the sum of five thousand one hundred and seventy-nine and 4-100 (5,179.04), of which full itemized accounts are stated at pages 809 to 813, volume 2, Minnesota Executive Documents of 1894.

School section
cases, Red
Lake reserva-
tion.

Second. To settle and pay in full the charges of Messrs. Davis, Kellogg & Severance for services as attorneys rendered to the state, in the Red Lake reservation school section cases, as per account on file with state auditor, five thousand (5,000) dollars.

School section
cases, Red
Lake reserva-
tion.

Third. To settle and pay in full the charges of Henry W. Childs for similar services, two thousand (2,000) dollars.

SEC. 4. Appropriations for deficiencies.

Deficiencies.
State normal,
Duluth.

First. For the payment of the following deficiency items in the construction and completion of the state normal school at Duluth, Minn.:

(a) Johnson Electric Service company for heat regulating devices, one thousand nine hundred and twenty-five (1,925) dollars.

(b) D. R. Black, plumbing contract, two thousand two hundred and eighty-eight and 83-100 (2,288.83) dollars.

(c) Minnesota Water Arch Furnace company contract, twelve hundred (1,200) dollars.

(d) Palmer, Hall & Hunt, architects' accounts, two thousand three hundred and thirty-one and 34-100 (2,331.34) dollars.

Provided, that said sum shall be accepted by said respective persons in full settlement of and for all charges and claims incident to said work.

Full settlement
of above
accounts.

Second. For the payment of indebtedness of the state for printing, advertising and binding for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903), eighty-five thousand (85,000) dollars.

Printing, ad-
vertising and
binding, 1903.

Third. For janitor's services, state capitol, five hundred (500) dollars.

Janitor
service.

Fourth. For capitol repairs and furnishing, one thousand five hundred (1,500) dollars.

Capitol repairs

Fifth. For insurance commissioner's contingent expenses, seven hundred (700) dollars.

Insurance
commissioner,
contingent.

Sixth. For state treasurer's contingent expenses, two hundred (200) dollars.

State treas-
urer, con-
tingent.

Seventh. For legislative expense, session of nineteen hundred and one (1901), one hundred (100) dollars.

Legislative ex-
penses, 1901.

Eighth. For telephone rent, five hundred (500) dollars.

Telephone
rent.

Ninth. For printing insurance laws, nine hundred sixty and 29-100 (960.29) dollars.

Printing in-
surance laws.

Tenth. For the payment of wolf bounties, thirty thousand (30,000) dollars.

Wolf bounty.

Eleventh. For the payment of the claim of F. Goodsell & Company for coal furnished the state normal school at Moorhead, the sum of one hundred thirty-seven and 78-100 (137.78) dollars.

F. Goodsell
& Co.
Moorhead
normal.

Provided, that said sum shall be accepted in full settlement of said claim.

Full settle-
ment of
above.

Sheriffs, conveying prisoners.

Twelfth. For sheriff's expenses conveying prisoners to state prison and state reformatory, three thousand (3,000) dollars.

Available, 1903.

All of the foregoing deficiency appropriations shall be available during the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903).

Relief of individuals.

SEC. 5. For relief of individuals, which amounts shall be in full payment of all claims now or hereafter to be made by the respective claimants herein named:

Beda Wingstrand.

First—For the relief of Beda Wingstrand, for injuries sustained by her while in the performance of her duties as an employe of the state in the laundry of the St. Peter insane hospital, the sum of four thousand (4,000) dollars.

Margaret Vogel.

Second—For the relief of Margaret Vogel, for injuries sustained by her while operating the mangle in the St. Peter hospital laundry, the sum of one thousand (1,000) dollars.

John Standen.

Third—For the relief of John Standen, for injuries sustained by him while employed as a servant of the state at the school of agriculture, the sum of one thousand (1,000) dollars.

Albert P. Doree.

Fourth—For the relief of Albert P. Doree, for personal injuries sustained by him while engaged as a member of Battery B, First light artillery, Minnesota National guards, in firing a salute in honor of the president, the sum of four thousand (4,000) dollars.

Mary C. Sinclair.

Fifth—For the relief of Mary C. Sinclair, in addition to the provision made by section six (6), chapter three hundred and eighty-one (381), General Laws of nineteen hundred and one (1901), the sum of four hundred, sixty-eight (468) dollars, the same being equivalent to the pension provided by said law from the date of the death of said Robert B. Sinclair to the date of the first payment of said pension money.

Charles Larson.

Sixth—For the relief of Charles Larson for injuries sustained by him while in the employ of the state at the agricultural experiment station of the university, the sum of five hundred (500) dollars.

Chisago county.

Seventh—For the purpose of partially reimbursing Chisago county for expense in the trial and conviction of non-resident persons for murder in the year 1896, to be received in full settlement of all claims, one thousand dollars.

SEC. 6. Appropriations for the first state fish hatchery: First State fish hatchery.

A. For the fiscal year ending July thirty-first (31st), 1903.
nineteen hundred and three (1903).

First—For the condemnation and purchase of lands and improvement, three thousand (3,000) dollars. Lands and improvements.

Second—For cementing old ponds, two thousand (2,000) dollars. Cementing old ponds.

Third—To complete new ponds in course of construction, fifteen hundred (1,500) dollars. New pond.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904). 1904.

First—For one new dwelling house for hatchery employes, two thousand (2,000) dollars. Dwelling.

Second—For waterway and pen stock, eight hundred and fifty (850) dollars. Waterway and pen stock.

Third—For system of sewerage, five hundred (500) dollars. Sewerage.

SEC. 7. Appropriations for the state asylum, Anoka. Anoka, state asylum.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903). 1903.

First—Additional appropriation for cold storage, fifteen hundred (1,500) dollars. Cold storage.

Second—Additional appropriation for boiler and dynamo, main building, three thousand (3,000) dollars. Boiler and dynamo.

Third—Brick smoke stack, fifteen hundred (1,500) dollars. Smoke stack.

Fourth—Engine house and moving present plant, three thousand five hundred (3,500) dollars. Engine house.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904). 1904.

First—Heating, water supply, lighting for group of cottages, ten thousand (10,000) dollars. Heat, water and light.

Second—Changes in main building, fifteen hundred (1,500) dollars. Changes in main building.

Third—Ice house, carpenter shop, paint shop, one thousand (1,000) dollars. Ice house, carpenter and paint shop.

Fourth—Water tower and tank, piggery, hennery and corn crib, three thousand (3,000) dollars. Water tower tank, piggery, hennery, etc.

Fifth—Repairs and betterments, fifteen hundred (1,500) dollars. Betterments.

Sixth—Current expense (no standing appropriation) fifty thousand (50,000) dollars. Current expense.

1905.

Ice house,
paint and
carpenter
shops.
Water tower
and tank,
etc.
Betterments.

C. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).

First—Ice house, carpenter shop, paint shop, one thousand (1,000) dollars.

Second—Water tower and tank, piggery, hennery and corn crib, two thousand five hundred (2,500) dollars.

Third—Repairs and betterments, fifteen hundred (1,500) dollars.

Current ex-
pense.

Fourth—Current expense (no standing appropriation), fifty thousand (50,000) dollars.

Hastings, state
asylum.

SEC. 8. Appropriations for the state asylum for the insane, Hastings.

1903.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903).

Heating, laun-
dry and water
supply, etc.

First—Heating, laundry and water supply, and grading grounds, twenty-five thousand (25,000) dollars.

1904.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

Cold storage,
additional.

First—Additional for cold storage, fifteen (1,500) dollars.

Changes in
main building.

Second—Changes in main building, fifteen hundred (1,500) dollars.

Ice house.

Third—Ice house, five hundred (500) dollars.

Betterments.

Fourth—Repairs and betterments, fifteen hundred (1,500) dollars.

Current ex-
penses.

Fifth—Current expenses (no standing appropriation) fifty thousand (50,000) dollars.

1905.

C. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).

Betterments.

First—Repairs and betterments, fifteen hundred (1,500) dollars.

Current ex-
pense.

Second—Current expenses (no standing appropriation), fifty thousand (50,000) dollars.

Fergus Falls,
state hospital.

SEC. 9. Appropriations for the state hospital for the insane, Fergus Falls.

1903.

A. To be available for the fiscal year ending July thirty-first (31st) nineteen hundred and three (1903).

Laundry and
equipment.

First—Extension to laundry and equipment, five thousand (5,000) dollars.

1904.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

Fire alarm.

First—Fire alarm system, two thousand (2,000) dollars.

Second—Repairs and betterments, five thousand (5,000) dollars. Betterments.

Third—Current expense (in addition to standing appropriation) one hundred and seventy-three thousand (173,000) dollars. Current expense.

C. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905). 1905.

First—Repairs and betterments, five thousand (5,000) dollars. Betterments.

Second—Current expense, (in addition to standing appropriation) one hundred and seventy-three thousand (173,000) dollars. Current expense.

SEC. 10. Appropriations for the state hospital for the insane, Rochester: Rochester state hospital.

A. To be available for the year ending July thirty-first (31st), nineteen hundred and four (1904). 1904.

First—One additional boiler, five thousand (5,000) dollars. Boiler.

Second—Repairs and betterments, five thousand (5,000) dollars. Betterments.

Third—Current expense (in addition to standing appropriation), thirty-eight thousand (38,000) dollars. Current expense.

C. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905). 1905.

First—Fire proof floors, main building, ten thousand (10,000) dollars. Main building, fire proof floors.

Second—Repairs and betterments, five thousand (5,000) dollars. Betterments.

Third—Current expense (in addition to standing appropriation) thirty-eight thousand (38,000) dollars. Current expense.

SEC. 11. Appropriations for the state hospital for the insane, St. Peter. St. Peter state hospital.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903). 1903.

First—Reconstructing of heating plant, ten thousand (10,000) dollars. Heating plant.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904). 1904.

First—Repairs and plumbing in detached wards, twelve thousand (12,000) dollars. Detached wards, repairs and plumbing.

Second—Piggery, one thousand (1,000) dollars. Piggery.

Third—Repairs and betterments, five thousand (5,000) dollars. Betterments.

Current
expense.

Fourth—Current expense (in addition to standing appropriation), thirty thousand (30,000) dollars.

1905.

C. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).

Main building,
reconstruction.

First—Reconstruction of main building, forty thousand (40,000) dollars.

Betterments.

Second—Repairs and betterments, five thousand (5,000) dollars.

Current
expense.

Third—Current expense (in addition to standing appropriation) thirty thousand (30,000) dollars.

Faribault,
feeble-minded.

SEC. 12. Appropriations for the school for feeble-minded, Faribault.

1903.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903).

Boiler and
repairs.

First—Boiler and repairs in engine room, fifteen hundred (1,500) dollars.

Sewer
farm cottage.

Second—Sewer for farm cottages, one thousand (1,000) dollars.

Furniture.

Third—Furniture, two thousand (2,000) dollars.

1904.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

Assembly
Hall.

First—Additional appropriation for assembly hall, six thousand (6,000) dollars.

Cow barn
and silo.

Second—Extension of cow barn and silo, two thousand (2,000) dollars.

Furniture.

Third—Furniture, one thousand (1,000) dollars.

Tower shaft
and plumbing

Fourth—Tower shaft and plumbing stone building, five thousand (5,000) dollars.

Cottage and
equipment.

Fifth—One cottage and equipment, twenty-five thousand (25,000) dollars.

Betterments.

Sixth—Repairs and betterments, five thousand (5,000) dollars.

Current
expense.

Seventh—Current expense (in addition to standing appropriation) ninety thousand (90,000) dollars.

1905.

C: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).

Cottage and
equipment.

First—One cottage and equipment, twenty-five thousand (25,000) dollars.

Tower shaft
and plumbing.

Second—Tower shaft and plumbing stone building, five thousand (5,000) dollars.

Hospital
wing.

Third—Wing to hospital for tuberculous patients, and equipment, fifteen thousand (15,000) dollars.

Betterments.

Fourth—Repairs and betterments, five thousand (5,000) dollars.

Fifth—Current expense (in addition to standing appropriation), one hundred and ten thousand (110,000) dollars. Current expense.

SEC. 13. Appropriations for the state training school, Red Wing, state training school.
Red Wing: 1903.

A: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903).

First—Repairs and betterment, three thousand (3,000) dollars. Betterments.

B: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904). 1904.

First—New reservoir, one thousand (1,000) dollars. Reservoir.

Second—Heating plant, ten thousand (10,000) dollars. Heating plant.

Third—Repairs and betterments, two thousand (2,000) dollars. Betterments.

Fourth—Current expense (in addition to standing appropriation), thirty thousand (30,000) dollars. Current expense.

Fifth—Department of manual training, two thousand (2,000) dollars. Manual training.

Sixth—State agency (in addition to standing appropriation), one thousand (1,000) dollars. State agency.

C: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905). 1905.

First—Repairs and betterments, two thousand (2,000) dollars. Betterments.

Second—Current expense (in addition to standing appropriation), thirty thousand (30,000) dollars. Current expense.

Third—State agency (in addition to standing appropriation), two thousand (2,000) dollars. State agency.

Fourth—Manual training, two thousand (2,000) dollars. Manual training.

SEC. 14. Appropriations for state reformatory, St. Cloud. St. Cloud, State reformatory.

A: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904). 1904.

First—Administration building, ten thousand (10,000) dollars. Administration building.

Second—Additional dynamo, five hundred (500) dollars. Dynamo.

Third—Cow barn, three thousand (3,000) dollars. Cow barn.

Fourth—Shoe and tin shops, two thousand (2,000) dollars. Shoe and tin shops.

Fifth—Repairs and betterments, two thousand (2,000) dollars. Betterments.

Current expense.	Sixth—Current expense (in addition to standing appropriation), sixty thousand (60,000) dollars.
1905.	B: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).
Administration building.	First—Administration building, ten thousand (10,000) dollars.
New cell wing.	Second—New cell wing, ten thousand (10,000) dollars.
Betterments.	Third—Repairs and betterments, two thousand (2,000) dollars.
Current expenses.	Fourth—Current expense (in addition to standing appropriation), sixty thousand (60,000) dollars.
Stillwater state prison.	SEC. 15. Appropriations for the state prison at Stillwater.
1904.	A: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).
Cell house, insane ward, etc.	First—Enlargement of cell house and partial equipment, constructing ward for insane criminals and partial equipment, and other buildings and improvements, fifty-five thousand (55,000) dollars.
Betterments.	Second—Repairs and betterments, two thousand (2,000) dollars.
1905.	B: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).
Betterments.	First—Repairs and betterments, two thousand (2,000) dollars.
Faribault, school for deaf.	SEC. 16. Appropriations for the school for the deaf, Faribault.
1903.	A: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903).
Plumbing.	First—Remodeling plumbing in bathrooms, four thousand five hundred (4,500) dollars.
Cabinet shop.	Second—Additional appropriation for addition to cabinet shop, five hundred (500) dollars.
1904.	B: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).
Fire escape.	First—Fire escape, one thousand six hundred (1,600) dollars.
Dining room.	Second—Floor in dining room, five hundred (500) dollars.
School building.	Third—For school building and equipment, twenty-five thousand (25,000) dollars.
Library.	Fourth—Library, two hundred and fifty (250) dollars.
Betterments.	Fifth—Repairs and betterments, two thousand five hundred (2,500) dollars.

Sixth—Current expense (in addition to standing appropriation), twenty thousand (20,000) dollars. Current expense.

C: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905). 1905.

First—Library, two hundred and fifty (250) dollars. Library.

Second—Repairs and betterments, two thousand five hundred (2,500) dollars. Betterments.

Third—Current expense (in addition to standing appropriation), twenty thousand (20,000) dollars. Current expense.

SEC. 17. Appropriations for the school for the blind, Faribault. Faribault, school for blind.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904). 1904.

First—Boiler and repairs in boiler room, one thousand (1,000) dollars. Boiler and repairs.

Second—Musical equipment and school library, fifteen hundred (1,500) dollars. Musical equipment and school library.

Third—Repairs and betterments, one thousand (1,000) dollars. Betterments.

Fourth—Current expense (in addition to standing appropriation ten thousand (10,000) dollars. Current expense.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905). 1905.

First—Musical equipment and school library, fifteen hundred (1,500) dollars. Musical equipment and school library.

Second—Repairs and betterments, one thousand (1,000) dollars. Betterments.

Third—Current expense (in addition to standing appropriation), ten thousand five hundred (10,500) dollars. Current expense.

SEC. 18. Appropriations for state public school, Owatonna. Owatonna, state public school.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904). 1904.

First—Cement floors, one thousand (1,000) dollars. Cement floors.

Second—Floor in dining room, three hundred (300) dollars. Dining room.

Third—Library, two hundred and fifty (250) dollars. Library.

Fourth—Repairs and betterments, two thousand (2,000) dollars. Betterments.

Fifth—Current expense (in addition to standing appropriation), twenty-seven thousand (27,000) dollars. Current expense.

Sixth—State agency (in addition to standing appropriation), five thousand five hundred (5,500) dollars. State agency.

1905.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).

Library.

First—Library, two hundred and fifty (250) dollars.

Betterments.

Second—Repairs and betterments, two thousand (2,000) dollars.

Current expense.

Third—Current expense (in addition to standing appropriation), twenty-seven thousand (27,000) dollars.

State agency.

Fourth—State agency (in addition to standing appropriation), five thousand five hundred (5,500) dollars.

Board of control authorized with approval of state auditor to transfer from current expense funds of institutions herein named, to the use of any other of aforesaid institutions, in case of necessity, not to exceed \$5,000.

Provided, that for the years ending July thirty-first (31st), nineteen hundred and four (1904), and July thirty-first (31st), nineteen hundred and five, respectively, the board of control is authorized, by and with the approval of the auditor of state, to transfer in cases of necessity a portion of the funds appropriated for the current expenses of any one of the following institutions, namely: The St. Peter state hospital for the insane, Rochester state hospital for the insane, the Fergus Falls state hospital for the insane, the Anoka state asylum, the Hastings state asylum, the school for the deaf, the school for the blind, the school for the feeble minded, the state public school, the state training school, the state reformatory, and the state prison, to the use of any other of the aforesaid institutions; and it is further authorized, by and with the approval of the auditor of state, to use sums not exceeding in the aggregate five thousand (5,000) dollars where necessary to supplement the appropriations for current expenses of any of the above named institutions. *Provided*, that said board may, without such consent and approval of the auditor of state, use the balance of any appropriation made for a specific purpose at any institution for any other specific purpose in and about such institution, after the purpose for which such appropriation was made, has been accomplished. And *provided, further*, that said board is hereby authorized and empowered to set aside a portion of the current expense fund of any such institution to be used as a diversified labor fund for the introduction and encouragement of such industries as in its judgment may be beneficial to the inmates of such institution.

Balance of appropriation for specific purpose.

Diversified labor fund.

Authorized to fix salaries.

Provided, further, that in the expenditure of the money hereinbefore provided for maintenance of state institutions, the board of control shall have full power and authority to fix and pay such additional salaries to the

employees of the state, except the superintendent of state institutions, as in the opinion of said board shall be proper and just.

SEC. 19. Appropriations for the state normal school, Winona normal.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

First. Library equipment and books, five hundred (500) dollars. Library.

Second. Repairs and betterments, one thousand (1,000) dollars. Betterments.

Third. Furniture and apparatus, five hundred (500) dollars. Furniture.

Fourth. Addition to president's salary, five hundred (500) dollars. President's salary, additional.

Fifth. For the purchase of land for site for ladies' home the sum of six thousand, five hundred (6,500) dollars. Site for ladies' home.

Provided, further, that the sum of eighteen thousand five hundred (18,500) dollars, the amount of unexpended balance of appropriations made by section fourteen (14) of chapter three hundred eighty-one (381), General Laws of nineteen hundred and one (1901), being ten thousand (10,000) dollars for heating plant and eight thousand five hundred (8,500) dollars, balance of appropriations for new roof and improvement of old building, shall be devoted for the purpose of increasing the above specified sum to be used in acquiring said site for ladies' home, and improving the same. Unexpended balance shall be devoted to increase sum to acquire site for ladies' home.

Sixth. Current expense (in addition to standing appropriation,) ten thousand (10,000) dollars. Current expense.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905). 1905.

First. Library books and equipment, five hundred (500) dollars. Library.

Second. Repairs and betterments, one thousand (1,000) dollars. Betterments.

Third. Furniture and apparatus, five hundred (500) dollars. Furniture.

Fourth. Addition to president's salary, five hundred (500) dollars. President's salary, additional.

Fifth. Current expense (in addition to standing appropriations, ten thousand (10,000) dollars. Current expense.

**Mankato
Normal.**

SEC. 20. Appropriations for the state normal school, Mankato.

1904.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

Betterments.

First. Repairs and betterments, two thousand five hundred (2,500) dollars.

Furniture.

Second. Furniture, five hundred (500) dollars.

Library.

Third. Library books and equipment, five hundred (500) dollars.

President's
salary,
additional.

Fourth. Addition to president's salary, five hundred (500) dollars.

Current
expense.

Fifth. Current expense (in addition to standing appropriations), ten thousand (10,000) dollars.

1905.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).

Betterments.

First. Repairs and betterments, two thousand five hundred (2,500) dollars.

Furniture.

Second. Furniture, five hundred (500) dollars.

Library.

Third. Library books and equipment, five hundred (500) dollars.

President's
salary,
additional.

Fourth. Addition to president's salary, five hundred (500) dollars.

Current
expense.

Fifth. Current expense (in addition to standing appropriation), ten thousand (10,000) dollars.

**St. Cloud
Normal.**

SEC. 21. Appropriations for the state normal school, St. Cloud.

1903.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903).

Land.

First. For acquiring additional land, one thousand (1,000) dollars.

1904.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

Library.

First. Library books and equipment, five hundred (500) dollars.

Furniture.

Second. Furniture, five hundred (500) dollars.

Repairs.

Third. Repairs, five hundred (500) dollars.

Heating
plant.

Fourth. Heating plant for Lawrence hall, connection with central heating plant, and new boiler, four thousand five hundred (4,500) dollars.

President's
salary.

Fifth. Addition to president's salary, five hundred (500) dollars.

Current
expense.

Sixth. Current expense (in addition to standing appropriation), twelve thousand (12,000) dollars.

C. To be available for the fiscal year ending July 1905.
thirty-first (31st), nineteen hundred and five (1905).

First. Library books and equipment, five hundred (500) dollars. Library.

Second. Furniture, five hundred (500) dollars. Furniture.

Third. Repairs, five hundred (500) dollars. Repairs.

Fourth. Addition to president's salary, five hundred (500) dollars. President's salary.

Fifth. Current expense (in addition to standing appropriation), twelve thousand (12,000) dollars. Current expense.

SEC. 22. Appropriations for the state normal school, Moorhead. Moorhead Normal.

A. To be available for the fiscal year ending July 1904.
thirty-first (31st), nineteen hundred and four (1904).

First. Library books and equipment, seven hundred fifty (750) dollars. Library.

Second. Furniture, seven hundred and fifty (750) dollars. Furniture.

Third. Apparatus, seven hundred and fifty (750) dollars. Apparatus.

Fourth. Repairs and betterments, one thousand five hundred (1,500) dollars. Betterments.

Fifth. For repairs and refurnishing ladies home, five hundred (500) dollars. Ladies' home.

Sixth. Addition to president's salary, five hundred (500) dollars. President's salary, additional.

Seventh. Current expense (in addition to standing appropriation), fifteen thousand five hundred (15,500) dollars. Current expense.

B. To be available for the fiscal year ending July 1905.
thirty-first (31st), nineteen hundred and five (1905).

First. Library books and equipment, seven hundred and fifty (750) dollars. Library.

Second. Furniture, seven hundred and fifty (750) dollars. Furniture.

Third. Apparatus, seven hundred and fifty (750) dollars. Apparatus.

Fourth. Repairs, fifteen hundred (1,500) dollars. Repairs.

Fifth. For repairs to dormitory, grading grounds and for coal bunkers, two thousand (2,000) dollars. Dormitory, grounds, etc.

Sixth. For repairs and refurnishing ladies home, five hundred (500) dollars. Ladies' home.

Seventh. For addition to president's salary, five hundred (500) dollars. President's salary, additional.

Current expense.

Eighth—Current expense (in addition to standing appropriation), fifteen thousand five hundred (15,500) dollars.

Duluth Normal.

SEC. 23. Appropriations for the state normal school, Duluth.

1904.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

Apparatus and supplies.

First—Physical, chemical, biological and geographical apparatus and supplies, two thousand (2,000) dollars.

Betterments.

Second—Repairs and betterments, fifteen hundred (1,500) dollars.

Furniture and equipment.

Third—Additional furniture and equipments, seven hundred and fifty (750) dollars.

Library.

Fourth—Library books and equipment, one thousand (1,000) dollars.

Grounds.

Fifth—Grading and improving of grounds, one thousand (1,000) dollars.

President's salary, additional.

Sixth—Addition to president's salary, five hundred (500) dollars.

Current expense.

Seventh—Current expense (no standing appropriation), twenty-five thousand (25,000) dollars.

1905.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).

Library.

First—Library books and equipment, five hundred (500) dollars.

Apparatus and supplies.

Second—Physical, chemical, biological and geographical apparatus and supplies, two thousand (2,000) dollars.

Furniture.

Third—Additional furniture and equipment, seven hundred and fifty (750) dollars.

Betterments.

Fourth—Repairs and betterments, five hundred (500) dollars.

President's salary, additional.

Fifth—Addition to president's salary, five hundred (500) dollars.

Current expense.

Sixth—Current expense (no standing appropriation), twenty-seven thousand (27,000) dollars.

State university.

SEC. 24. Appropriations for University of Minnesota.

1903.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903).

Extraordinary repairs.

First—For extraordinary repairs, including tunnels, twenty thousand (20,000) dollars.

Campus.

Second—Enlargement and grading of campus, eleven thousand (11,000) dollars.

B. To be available for the fiscal year ending July 1904.
thirty-first (31st), nineteen hundred and four (1904).

First—For additional current expenses, forty-five thousand (45,000) dollars. Current expense.

Second—For addition and equipment to law building, thirty thousand (30,000) dollars. Law building.

Third—For completion and equipment of mines building, twenty-five thousand (25,000) dollars. Mines building.

Fourth—For library, five thousand (5,000) dollars. Library.

Fifth—For ordinary repairs, ten thousand (10,000) dollars. Repairs.

Sixth—For improvement of the campus, three thousand (3,000) dollars. Campus.

C. To be available for the fiscal year ending July 1905.
thirty-first (31st), nineteen hundred and five (1905).

First—For additional current expenses, forty-five thousand (45,000) dollars. Current expense.

Second—For equipment and repairs in engineering department and electric light plant, forty thousand (40,000) dollars. Engineering and electric light.

Third—For library, five thousand (5,000) dollars. Library.

Fourth—For ordinary repairs, ten thousand (10,000) dollars. Repairs.

Fifth—For improvement of campus, three thousand (3,000) dollars. Campus.

Sixth—For erection of bacteriological laboratory, sixty thousand (60,000) dollars. Bacteriological laboratory.

D: To be available for the fiscal year ending July 1906.
thirty-first (31st), nineteen hundred and six (1906).

First—For completion of bacteriological laboratory, forty thousand (40,000) dollars. Bacteriological laboratory and equipment.

Second—For partial equipment of bacteriological laboratory, five thousand (5,000) dollars.

SEC. 25. Appropriations for the school of agriculture. School of agriculture.

A: To be available for the fiscal year ending July 1904.
thirty-first (31st), nineteen hundred and four (1904).

First—For equipment to chemical building, five thousand (5,000) dollars. Chemical building equipment.

Second—For machinery building, five thousand (5,000) dollars. Machinery building.

Third—For dormitory, forty thousand (40,000) dollars. Dormitory.

Substation,
Grand
Rapids.

1904.

Current
expense.

1905.

Current ex-
pense.

Substation,
Crookston.
1904.

Current
expense.

Drainage.

Modifi-
cations.

1905.

Current
expense.

Soldiers'
home.
1903.

Dining
hall and
kitchen.

1904.

Current
expense and
maintenance.

SEC. 26. Appropriations for substation at Grand Rapids.

A: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

First—For current expenses, four thousand (4,000) dollars.

B: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).

First—For current expenses, four thousand (4,000) dollars.

SEC. 27. Appropriation for substation at Crookston.

A: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

First—For current expenses, six thousand (6,000) dollars.

Second—For drainage of state farm, five thousand (5,000) dollars, upon the condition, however, that the conveyance granting said lands conditionally unto the State of Minnesota be so modified that in the event the State of Minnesota ceases to use said lands for experimental farm purposes, and avails itself of the condition in said deed contained to buy said premises at a stipulated sum per acre therein mentioned, that it shall not pay any interest upon said stipulated purchase price whatsoever; and *provided further*, that the moneys heretofore appropriated for buildings on said farm and now remaining unexpended shall not be used until said modification in said conveyance is made.

B: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905).

First—For current expenses, six thousand (6,000) dollars.

SEC. 28. Appropriations for soldiers' home.

A: To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and three (1903).

First—For completion of new dining hall and kitchen, three thousand (3,000) dollars.

B. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and four (1904).

First—For current expenses and maintenance in addition to annual appropriation, ten thousand (10,000) dollars.

Second—For repairs and improvements, fifteen hundred (1,500) dollars. Betterments.

Third. For enlargement of hospital, fifty-five hundred (5,500) dollars. Hospital.

C. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905). 1905.

First—For current expense and maintenance in addition to annual appropriation, ten thousand (10,000) dollars. Current expense and maintenance.

Second—For repairs and improvements, fifteen hundred (1,500) dollars. Betterments.

SEC. 29. Appropriations for the state agricultural society. State Agricultural society.

A. To be available for the fiscal year ending July thirty-first (31st), nineteen hundred and five (1905). 1905.

First—For the erection and equipment of building for the display of manufactured products manufactured exclusively in the State of Minnesota, thirty thousand (30,000) dollars. Manufacturers' building.

SEC. 30. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

CHAPTER 286.

R

S. F. No. 270.

An Act to provide for the appointment by the board of control of state institutions of a state agent for the aid and supervision of paroled or discharged prisoners.

Board of control.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The board of control of state institutions may at any time when it deems it necessary appoint a state agent for the aid and supervision of paroled or discharged prisoners. The said state agent shall receive such salary as it shall fix and determine, together with the necessary traveling expenses incurred in the discharge of his duties, and he shall perform such duties as it may prescribe in behalf or in supervision of prisoners paroled or discharged from the state prison, the state reformatory, or any other public prison in this state, including the return of paroled prisoners to such institutions. It shall be his special duty to assist discharged or paroled prisoners in obtaining employment. The salary and expenses of said state agent shall be paid from

State agent.

Special duty.

Salary,
how paid.

Oath and
bond.

the current expense fund of such institutions, and shall be divided between them in proportion to the appropriation made by the legislature for their current expenses. Before entering upon the duties of his office he shall take oath and file a bond in such sum as said board shall prescribe for the faithful performance of his duties. Such bond and oath shall be filed in the office of the secretary of state. He shall hold office at the will of said board.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

H. F. No. 911.

CHAPTER 287.

State
tax levy.

An Act to provide for a levy of taxes for state purposes for the year ending July 31st, one thousand nine hundred and four (1904), and July 31st, one thousand nine hundred and five (1905).

Be it enacted by the Legislature of the State of Minnesota:

One
mill.

SECTION 1. For the purpose of defraying the expenses of the state for the fiscal year ending July thirty-first (31st), one thousand nine hundred and four (1904), a tax of seven hundred and seventy-five thousand dollars (\$775,000), or as near that amount as practicable, shall be levied on all the taxable property of the state; provided, that the tax hereby levied shall not exceed the rate of one (1) mill on each dollar of taxable property.

SEC. 2. For the purpose of defraying the expenses of the state for the fiscal year ending July thirty-first (31st), one thousand nine hundred and five (1905), a tax of eight hundred thousand dollars (\$800,000), or as near that amount as practicable, shall be levied on all taxable property of the state; provided that the tax hereby levied shall not exceed the rate of one mill (1) on each dollar of taxable property.

Credited
to general
revenue
fund only.

SEC. 3. All taxes levied under the provisions of this act, when collected and paid into the state treasury, shall be placed to the credit of the general revenue fund only.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

CHAPTER 288.

H. F. No. 630.

An Act to amend section four hundred and twenty-one (421) of General Statutes 1894 of the State of Minnesota, relating to the salary of the public examiner.

Public
examiner.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section four hundred and twenty-one (421) of General Statutes 1894 of the State of Minnesota, be amended by adding thereto at the end of said section the following: The amounts paid into the treasury of this state by the City of St. Paul for services of said public examiner, or his deputies or assistants, in examining the office and records of the city comptroller, city treasurer, and other revenue and financial officers of the City of St. Paul, shall inure to the personal benefit of said public examiner.

Fees
collected
from city
of St. Paul
to inure
to benefit
of public
examiner.

All fees collected by the public examiner, pursuant to the provisions of chapter 233 of the laws of Minnesota for 1901, entitled "An act to revise and codify the laws relative to building, loan and savings associations doing a general business in the State of Minnesota," shall be applied towards paying the expenses of the office of said public examiner, and shall not inure to his personal benefit.

Other
fees ap-
plied to
expense of
office.

SEC. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

CHAPTER 289.

S. F. No. 456.

An act to authorize the reorganization of school districts in cities having a population of 10,000 inhabitants, or less, in which the city council or common council performs the duties of a board of education.

School
districts in
cities of
10,000 or
less.

Be it enacted by the Legislature of the State of Minnesota:

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SECTION 1. That in any city in this state, containing 10,000 inhabitants or less, in which the city council or common council performs the duties of a board of education, the said council may be relieved of said duties,

Where
city coun-
cil performs
duties of
board of
education.

School inspectors may be elected.

and a board of school inspectors may be elected, and when such election is had, all the powers and duties resting upon the said city council in relation to the public schools of such city, shall vest in and be performed by said inspectors, who shall be known as "the board of education" of such city.

Legal voters shall petition city council.

SEC. 2. Whenever a majority of the legal voters of such city, to be determined by the total vote cast in such city at the last general election, shall desire to relieve the council of the said city from the duties of controlling and managing the public schools of said city, such legal voters shall petition the common council or city council for the election of a board of education, which petition shall be filed with the city recorder or city clerk of said city at least forty (40) days before the city election of said city.

Notice of election.

SEC. 3. Upon the filing of such petition, the said council shall immediately cause notice to be given that at the next city election the question will be submitted to the voters of said city whether the method of managing the public schools of said city shall be changed, and shall submit said question to the voters at the next city election occurring more than thirty (30) days after the filing of said petition. The said question shall be submitted to said electors on the city ballot and may be in the following form:

Ballot.

In favor of a new board of education, against a new board of education, and the voter shall put an X mark opposite the proposition he shall vote for. If a majority of those voting on said question at said election shall vote in favor of such new board, then the management, direction, supervision and control of the public schools of such city shall be vested in such board of education, and shall be divested out of the council of said city.

Nomination and election of school inspectors.

SEC. 4. Nominations for members of such board of education, to be denominated "school inspectors," may be made and such inspectors may be elected at the same election at which the proposition to change the management and control of the schools from the city council to the board of education shall be submitted; and if said proposition is adopted by the voters, as specified in section 3 of this act, the inspectors so elected shall immediately become the board of education of said city, and shall be vested with all the powers, rights, duties and

privileges theretofore vested in the council of said city acting as a board of education.

SEC. 5. Such school inspectors shall be elected as follows: Two (2) inspectors shall be elected from each ward of said city, and one inspector shall be elected at large; said inspectors shall hold office for four years and until their successors are elected and qualified; but at the first election one of the inspectors from each ward shall be nominated and elected to hold office for two years only, and thereafter one inspector from each ward shall be elected for four years.

Two in-
spectors
from each
ward and
one at
large

Term.

Ch. 50
1907

SEC. 6. The inspectors so elected and qualified shall be a body corporate and shall be known as the board of education of said city, which shall be their corporate name. Said board of education may sue and be sued, have a corporate seal, and may do and perform all the acts and things and have all the powers and duties with their predecessors, such council, as the board of education. could do or perform in the management, control and operation of the public schools of the said city. They shall also have full control and charge of all the funds of the said public schools, and have power to levy all necessary taxes for educational purposes for the construction of school houses, the equipment thereof, and for the necessary equipment of all the public schools of said city, and for the maintenance and support of said schools. Said board of education shall elect one of their number president of said board, who shall hold office for two years and until his successor is elected and qualified.

Name.

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Powers.

SEC. 7. The city clerk or city recorder shall ex-officio be the secretary of the board of education, and the city treasurer shall ex-officio be the treasurer of said board of education. The funds of the said board of education shall be paid out on the warrant of the board, signed by the president and countersigned by the secretary, and the secretary and treasurer of said board shall give bonds for the faithful performance of their duties, and for the faithful care and custody of the funds of said board, in such amounts and as often as shall be required by the board.

President.

Secretary.

Treasurer.

Bonds.

SEC. 8. Upon the adoption by the legal voters of any such city of such change of the management of the public schools of such city from such city council to such board of education, and immediately after the election and or-

Educational
fund
transferred.

ganization of such board, all funds in the city treasury of said city belonging to the educational fund, or to the school fund, or to the common schools of said city, shall immediately be subject to the order, drafts and warrants and under the exclusive control of said board of education, and the city council of said city shall have no further authority over said funds. The city treasurer of said city shall hold the same subject to the order of said board of education only.

School
board
officers
receive no
salary.

SEC. 9. No member of the board of education shall receive any salary, fees or compensation whatsoever for any duties required of him as a member of such board. The city clerk or city recorder shall receive no salary, fees or compensation whatsoever for acting as secretary of such board of education. The city treasurer shall receive no salary, fees or compensation whatsoever for acting as the treasurer of said board of education, but the salaries, fees or compensation paid to the said city clerk or city recorder by such city; and the salary or compensation paid to such city treasurer by such city shall be in full compensation for all service required by the provisions of this act.

Members
of board,
officer or
city official
must not
be party
to any
contract.
Restriction
as to su-
perintendent
and
teachers.

SEC. 10. No member of the board of education, secretary of said board, or treasurer thereof, and no city officer of said city, shall be a party to, or interested in, any contract made with the said board of education, nor shall said board of education engage any superintendent of schools or any teacher for the schools of the said city who is related by blood or marriage to any member of said board of education, except by the unanimous consent and vote of all members-elect of said board.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

CHAPTER 290.

H. F. No. 912.

An act to appropriate money out of the internal improvement fund to aid in building bridges and constructing roads and culverts, or draining lands or roads, or other improvements as the case may be, in certain counties in this state, and repealing certain appropriations heretofore made, and giving certain towns and counties the right to issue certificates of indebtedness.

Internal im-
provements
in certain
counties.

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Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the sums hereinafter named be, and hereby are appropriated out of any moneys in the state treasury belonging to the internal improvement fund, or out of the first moneys which shall come into the state treasury belonging to said fund not otherwise appropriated, to aid in building substantial combination or iron and steel bridges, and for constructing roads and culverts, or draining lands or roads, or other improvements, as the case may be, at the places in the counties hereinafter specified.

Appropriation.

SEC. 2. Such money shall be expended and such work shall be done under the supervision of the persons or officers hereinafter named in each case designated. Where no person or officer is designated, the money shall be expended and such work shall be done under the supervision of the county commissioners of the county where the work is being done.

Supervision.

SEC. 3. When the work in any location hereinafter described has been completed, the proper person herein authorized shall so certify to the state auditor, who shall thereupon draw his warrant on the state treasurer, payable to the county, city, village or town treasurer, as the case may be. No such treasurer shall retain or be entitled to any portion of such appropriation as his fees or compensation for handling the same.

Certify
to state
auditor.

Payment.

SEC. 4. No payment shall be made on any appropriation created by this act, unless the certificate above required, executed by the proper officers, is filed with the state auditor on or before December thirty-first (31st), nineteen hundred seven (1907).

Must be
certified
before
Dec. 31, 1907.

Any appropriation hereby made, for which said certificate shall not have been filed within the time herein specified, shall be cancelled, and is hereby repealed.

Cancelled.

ANOKA COUNTY.

Rice
Creek.
Central
Ave. road.

SEC. 5. That the sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in the construction of a bridge across Rice Creek on the Central Avenue road, in the town of Fridley, in said county.

Rum
River,
Oak
Grove.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a bridge across Rum River, in the town of Oak Grove, in said county, at a point where the section line between sections nineteen (19) and thirty (30), in said town, crosses said river.

The said sums to be expended under the direction of the town board of supervisors of the respective towns.

AITKIN COUNTY.

Rice
River and
McGregor
road.

SEC. 6. That the sum of eight hundred (800) dollars is hereby appropriated out of said fund, to aid in constructing and repairing a road and bridges on what is known as the "Rice River and McGregor road," in the townships of River and McGregor, in said county.

Said sum to be expended under the direction of the county commissioners of said Aitkin county.

BECKER COUNTY.

Grading
road east
from
Frazee.

SEC. 7. That the sum of three hundred (300) dollars is hereby appropriated out of said fund, to aid in grading and improving the county road leading east from the village of Frazee, through the townships of Burlington, Silver Leaf and Evergreen.

Said sum to be expended under the supervision of the chairman of each of the boards of supervisors of said townships.

Straight
river.

That the further sum of three hundred (300) dollars is hereby appropriated out of said fund, to aid in constructing a wagon bridge across Straight river at a point where the road now crosses the same, about eighty (80) rods west of the south-east corner of section 20, township 140, north of range 36, west; that the further sum of three hundred (300) dollars is hereby appropriated out of said fund to aid in the construction of a bridge across Town Lake near the line between sections 34 and 35, township 138, range 40, where the main road running from Frazee to Pelican Rapids crosses said lake; said

Town
Lake.

amounts to be expended under the supervision of the board of county commissioners of said Becker county.

BENTON COUNTY.

SEC. 8. That the sum of two hundred and fifty dollars (\$250.00) is hereby appropriated out of any moneys in the state treasury belonging to the internal improvement fund, or out of the first moneys which shall come into the state treasury belonging to said fund, not otherwise appropriated, to aid in grading and repairing of the highway leading in a northerly direction from the village of Gilman, in the township of Alberta, in Benton county, Minnesota; the above amount to be expended under the supervision of Felix Rosemarek, William Raber and Enoch Spiczka.

Gilman
village.

That the sum of two hundred and fifty dollars (\$250.00) is further appropriated out of said internal improvement fund to aid in the grading and repairing of a highway known as the Granite Lodge and Foley road, running in a northeast and southwest direction through the township of Alberta, in the county of Benton, State of Minnesota. The above sum to be expended under the supervision of W. J. S. Stewart, Albert Wilke and George Elwell.

Granite
Lodge and
Foley road.

That the sum of one hundred and seventy-five dollars (\$175.00) is further appropriated out of said internal improvement fund to aid in the grading and repairing of the highway known as the North Duelm and Princeton road, and leading in a westerly direction from the village of Duelm in Benton county, Minnesota. The above amount to be expended under the supervision of Martin Herbst, C. C. Connelly and Paul Murn.

North
Duelm and
Princeton
road.

That the sum of one hundred and seventy-five dollars (\$175.00) is further appropriated out of said internal improvement fund to aid in the grading and repairing of the Rice and Gilman road, running in an easterly and westerly direction through the township of Graham, Benton county, Minnesota. The above sum to be expended under the supervision of Scott Thomas, John R. Sparrow and B. McCullough.

Rice and
Gilman
road.

That the sum of one hundred and fifty dollars (\$150.00) is hereby appropriated out of said internal improvement fund to aid in the building and repair of bridges in the township of Minden, Benton county, Minnesota;

Town of
Minden.

the same to be expended under the supervision of John Flanigan, Marcus Bosworth and Henry Blow.

BELTRAMI COUNTY.

Bridges
already
constructed.

SEC. 9. That the sum of one thousand (1,000) dollars is hereby appropriated out of said fund to aid Beltrami county in paying for bridges already constructed, or to build new bridges, as the case may be.

Said amount to be expended under the direction of the board of county commissioners of said county.

BIG STONE COUNTY.

Town of
Graceville.

SEC. 10. That the sum of three hundred (300) dollars is hereby appropriated out of said fund to aid the town of Graceville, in said county, to build a road, construct culverts and build bridges on the section line running north and south between sections nine (9) and ten (10) and fifteen (15) and sixteen (16), in township one hundred twenty-four (124), range forty-six (46), in said Big Stone county.

Said money shall be expended under the supervision of the board of supervisors of said town of Graceville, in said county.

Main
river,
Town of
Ortonville.

That the further sum of five hundred (500) dollars is hereby appropriated out of said fund to build a bridge on the section line between sections 26 and 27 in township 121, range 46, across Main river, being in the town of Ortonville, in said county; said sum to be expended under the supervision of the board of town supervisors of said town of Ortonville.

BLUE EARTH AND NICOLLET COUNTIES.

Minnesota
river.

SEC. 11. That the sum of three thousand (3,000) dollars is hereby appropriated out of said fund to aid in the construction of a bridge across the Minnesota river between the counties of Blue Earth and Nicollet, at or near a point where the line between government lots one (1) and two (2), in said Blue Earth county, and seven (7) and eight (8), in Nicollet county, crosses the said river, the same being in section thirty-three (33), township one hundred nine (109), north of range twenty-eight (28), west of the fifth principal meridian.

Towns of
Judson and
Nicollet.

The said bridge shall be constructed under the joint direction of the town supervisors of the towns of Judson,

in Blue Earth county, and Nicollet, in Nicollet county; and no part of the above named appropriation shall be paid out of the state treasury until said bridge is completed. Upon completion of said bridge the said town supervisors shall certify the fact to the state auditor, who shall thereupon draw his order in favor of the treasurer of said township of Judson, Blue Earth county, for the sum of fifteen hundred (1,500) dollars; and he shall further draw his order in favor of the treasurer of said town of Nicollet, in Nicollet county, for the sum of fifteen hundred (1,500) dollars; and the said treasurers shall pay out the moneys so received upon the orders of the town supervisors of said towns of Judson and Nicollet.

BROWN COUNTY.

SEC. 12. That the sum of eight hundred (800) dollars is hereby appropriated out of said fund for the purpose of constructing a bridge across the Minnesota river on a public road in the township of Home, in the county of Brown, in said state, which runs through sections seventeen (17) and eighteen (18), of said town, and at a point on said river known as the "Fort Ridgley Ferry Crossing," the exact location to be designated by the board of supervisors of said town.

Minnesota
river,
town of
Home.

That the sum so appropriated shall be spent under the direction of the board of supervisors of said town of Home.

That the further sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in building a bridge at Hinderman's Ferry, in the town of Home, the exact locaton being four (4) chains west of the corner of lots one (1) and two (2), eight (8) and nine (9), of section twenty-two (22), township one hundred eleven (111), range thirty-two (32), in the said township of Home, Brown county, Minnesota.

Hinder-
mann's
Ferry.

The said appropriation shall be expended by the board of county commissioners of said Brown county.

CARLTON COUNTY.

SEC. 13. That the sum of five hundred (500) dollars is hereby appropriated out of said fund to aid in the construction of a bridge across Kettle river at or near the point where the congressional township line between townships forty-six (46) and forty-seven (47), in range twenty (20), in said county, crosses said river.

Kettle
river.

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That the said amount shall be expended under the supervision of the three chairmen of the respective town boards of supervisors of the towns of Moose Lake, Kalavala and Split Rock, in said county. Said appropriation is made on the condition, that each of said towns shall make an appropriation to aid in the building of said bridge, as may be agreed upon by the respective town boards of said towns, but neither of said towns shall make a less appropriation to aid in the construction of said bridge than the sum of three hundred (300) dollars.

That the further sum of five hundred (500) dollars is hereby appropriated out of said fund, to aid in building a bridge across the St. Louis river at or near the village of Scanlon, in said county.

St. Louis
river,
village of
Scanlon.

The said money to be expended, and the said work to be done under the supervision of the president of the village council of the village of Scanlon, the chairman of the town board of supervisors of the town of Thompson, in said county, and these two to decide on a third member of the committee, who shall act with them in expending the aforesaid appropriation. Said committee shall also decide on the exact location of the bridge. The foregoing appropriation is made upon the condition, that the village of Scanlon and the town of Thompson appropriate at least not less than the aforesaid appropriation of five hundred (500) dollars, or as much thereof as may be necessary for the construction of the bridge and approaches thereto.

CARVER COUNTY.

SEC. 14. That the sum of six hundred (600) dollars is hereby appropriated out of said fund, to aid in the construction of a bridge across Crow river, on the section line running east and west between sections two (2) and eleven (11), in the town of Camden, Carver County, Minnesota, the exact location to be designated by the town board of said town of Camden.

Crow
river,
town of
Camden.

That said sum shall be expended under the direction of the supervisors of said Camden township.

CASS COUNTY.

SEC. 15. That the sum of five hundred (500) dollars is hereby appropriated out of said fund to build a bridge over Muskito Creek, in Cass county, where the public

Muskito
Creek.

road crosses said creek on or near the north line of section seven (7), township one hundred thirty-three (133), of range thirty-one (31).

That said amount shall be expended under the supervision of the town supervisors of the town of May, in said Cass county.

That the further sum of eight hundred (800) dollars is hereby appropriated out of said fund to be used and expended in opening up and building the county road now laid out and running south from the village of Walker, through townships one hundred thirty-nine (139), one hundred forty (140), one hundred forty-one (141) and one hundred forty-two (142), of range thirty-two (32), in Cass county, and for the construction of bridges and culverts on said road.

County
road south
of Walker.

Said amount shall be expended under the supervision of the board of county commissioners of said county.

CHIPPEWA AND LAC QUI PARLE COUNTIES.

SEC. 16. That the sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in building a bridge across the Minnesota river at that point where the new judicial road crosses the said river, at a point to be designated by the county commissioners of Chippewa and Lac qui Parle counties.

Minnesota
river.

Said money to be expended under the direction of the chairmen of the respective boards of county commissioners of Chippewa and Lac qui Parle counties.

CHIPPEWA AND YELLOW MEDICINE COUNTIES.

SEC. 17. That the sum of seven hundred (700) dollars is hereby appropriated out of said fund, to aid the counties of Chippewa and Yellow Medicine to build a bridge across the Minnesota river where the same crosses the section line between sections thirty-two (32) and thirty-three (33), in township one hundred seventeen (117), range forty (40). That the bridge when so constructed shall thereafter be maintained by the said counties of Chippewa and Yellow Medicine.

Minnesota
river.

Said amount to be expended under the direction of the board of county commissioners of said Chippewa and Yellow Medicine counties.

CHISAGO COUNTY.

Sunrise
river,
town of
Sunrise.

SEC. 18. That the sum of three hundred (300) dollars is hereby appropriated out of said fund, to aid the town of Sunrise, in the county of Chisago, to build bridges over the Sunrise river in said town, at such place or places as the board of supervisors of said town of Sunrise shall determine.

The said money to be expended under the supervision of the town supervisors of said town of Sunrise.

Town of
Wyoming.

That the further sum of three hundred (300) dollars is hereby appropriated out of said fund, to aid the town of Wyoming, in said county of Chisago, to build a bridge across the Sunrise river in said town, at such place as the board of supervisors of said town of Wyoming shall determine.

The said amount shall be expended under the supervision of said board of supervisors of the town of Wyoming.

CLAY COUNTY.

Red river,
Twp. of
Georgetown.

SEC. 19. That the sum of six hundred (600) dollars is hereby appropriated, to aid in the construction of a bridge across the Red river between the township of Georgetown and the State of North Dakota, at the place where the old bridge is now established.

The said money to be expended under the direction of the board of supervisors of the said town of Georgetown.

COTTONWOOD COUNTY.

Des Moines
river.

SEC. 20. That the sum of five hundred (500) dollars is hereby appropriated out of said fund, to aid in the construction of a bridge across the Des Moines river, on the section line between sections fourteen (14) and fifteen (15), in township one hundred five (105), north of range thirty-seven (37), west.

The said sum to be expended under the direction of the board of county commissioners of said Cottonwood county.

CROW WING COUNTY.

Road, in
Sections
28 and 33,
T. 47, R. 28.

SEC. 21. That the sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in the building and improving of a road in sections twenty-eight (28) and thirty-three (33), township forty-seven (47), range twenty-eight (28), Crow Wing county, Minnesota.

That the further sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in building a bridge over the Mississippi river at a point north of the village of Deerwood in Crow Wing county; that the said sums shall be expended under the supervision of and the exact location of the bridge and road to be designated by the board of county commissioners of said county of Crow Wing.

Mississippi
river,
north
Deerwood
village.

CROW WING AND MORRISON COUNTIES.

SEC. 22. That the sum of one thousand (1000) dollars is hereby appropriated out of said fund, to aid in building a bridge across the Mississippi river at Fort Ripley, Minnesota; the Crow Wing county approach to said bridge to be located in section twenty-six (26), township forty-three (43), range thirty-two (32). Said bridge to be built under the joint supervision of a committee of the boards of county commissioners of Morrison and Crow Wing counties.

Mississippi
river at
Fort
Ripley.

That the said sum shall be expended under the supervision of the boards of county commissioners of said Crow Wing and Morrison counties.

DAKOTA COUNTY.

SEC. 23. That the sum of five hundred (500) dollars is hereby appropriated out of said fund, to aid the county of Dakota to rebuild and improve the approaches on the Dakota county side to the Cedar Avenue bridge, and to aid in improving and repairing the road approaching said bridge on said Dakota county side, from the point where the road and approach thereto crosses Black Dog creek.

Cedar Ave.
and Black
Dog creek.

The said sum shall be expended under the supervision of the board of county commissioners of said Dakota county.

DODGE COUNTY.

SEC. 24. That the sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in building a bridge across Cedar creek on the section line between sections twenty-one (21) and twenty-two (22), in the township of Hayfield, Dodge county.

Cedar
creek,
town of
Hayfield.

Said amount shall be expended under the direction of the supervisors of said township of Hayfield.

DOUGLAS COUNTY.

Lake
Mary.

SEC. 25. That the sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in the building of a bridge on the line between sections fifteen (15) and sixteen (16), in the town of Lake Mary, Douglas county, Minnesota, across the edge of Mud Lake and the creek on said line.

The said amount shall be expended under the supervision of the township supervisors of the town of Lake Mary.

Lake
Winona
Alexandria
and Her-
man road.

That the further sum of five hundred (500) dollars be appropriated out of said fund, to aid in building a bridge across Lake Winona on the Alexandria and Herman state road at or near the city limits of the city of Alexandria.

The said amount to be expended under the direction of the city council of the city of Alexandria.

FARIBAULT COUNTY.

Blue
Earth river.
Cumming's
Bridge.

SEC. 26. That the sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in building a bridge across the Blue Earth river, on the quarter line between the northwest quarter (NW $\frac{1}{4}$) and the southwest quarter (SW $\frac{1}{4}$) of section sixteen (16), township one hundred two (102), range twenty-seven (27), where the east branch of the Blue Earth river crosses said line at the site known as the "Cumming's Bridge," in the township of Blue Earth in said county.

The said money shall be expended under the direction of the supervisors of Blue Earth town in said county.

FILLMORE COUNTY.

Root river,
Pilot
Mound.

SEC. 27. That the sum of one hundred fifty (150) dollars is hereby appropriated out of said fund, to aid in building a bridge across Root river, in the town of Pilot Mound, the exact location of said bridge to be designated by the town board of said town.

The said amount to be expended under the direction of the board of supervisors of the town of Pilot Mound.

Watson's
creek,
Preston-
Chatfield
road.

That the further sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in the building of a bridge over Watson's creek on the road from Preston to Chatfield, in the town of Fountain, in said county.

The said amount shall be expended under the direction of the board of supervisors of said town.

That the further sum of one hundred fifty (150) dollars is hereby appropriated out of said fund, to aid in the construction of a bridge across the south branch of Root river; the exact location shall be determined by, and the said sum expended under the supervision of the board of supervisors of the township of Forestville, in said county.

Root river
bridge.

FREEBORN COUNTY.

Sec. 28. That the sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in constructing a bridge on the state line road between section thirty-five (35), township one hundred one (101), range twenty-three (23), Freeborn county, Minnesota, and Winnebago county, Iowa.

That the said amount shall be expended under the direction of the board of supervisors of the township of Mansfield, in said Freeborn county.

That the further sum of one hundred (100) dollars is hereby appropriated out of said fund, to aid in building a bridge across Shell Rock river, at the intersection of sections twenty-eight (28) and twenty-nine (29), thirty (30) and thirty-one (31), in the town of Shell Rock. That the further sum of one hundred (100) dollars is hereby appropriated out of said fund, to aid in the building of a bridge across Woodbury creek at a point near the westerly line of the southwest quarter (SW $\frac{1}{4}$) of section twenty-one (21), and the northwest quarter (NW $\frac{1}{4}$) of section twenty-eight (28), in the township of Oakland. That the further sum of one hundred (100) dollars be appropriated out of said fund, to aid in the building of a bridge across the Shell Rock river at a point near the center of section eight (8) in the township of Shell Rock in said county. The said sums to be expended under the direction of the respective boards of supervisors of said towns.

Shell
Rock
river.

Woodbury
creek.

GOODHUE COUNTY.

Sec. 29. That the sum of six hundred (600) dollars is hereby appropriated out of said fund, to aid in building a bridge across the Little Cannon river between sections seventeen (17) and eighteen (18), in the town of Holden, in said county.

\$600 for
bridge.

That the said sum shall be expended under the direction of the board of supervisors of said town of Holden.

GRANT COUNTY.

Across
Cormorant
Lake.

Chippewa
river.

Pomme de
Terre
river.

SEC. 30. That the sum of one hundred fifty (150) dollars is hereby appropriated out of said fund for the purpose of building a bridge across Cormorant lake, at or near a point where the public highway intersects that lake, on the section line between sections fifteen (15) and twenty-two (22) and sections sixteen (16) and twenty-one (21), township one hundred twenty-eight (128), range forty-two (42), west, known as "Lien Township," in said county. That the further sum of one hundred fifty (150) dollars is hereby appropriated out of said fund, to aid in building a bridge across Chippewa river, in section twenty-four (24), township one hundred twenty-seven (127), range forty-one (41), on the highway located upon the north one-half of the northwest quarter ($N\frac{1}{2}$ of $NW\frac{1}{4}$) of said section twenty-four (24), where said highway crosses said Chippewa river, being in the township of Land in said county. That the further sum of one hundred fifty (150) dollars is hereby appropriated out of said fund, to aid in building a bridge across the Pomme de Terre river on the line between sections nineteen (19) and thirty (30), township one hundred twenty-nine (129), range forty-one (41), west, being in the town of Erdahl in said county.

That the said amounts shall be expended under the direction of the respective town boards of supervisors of said townships of Lien, Land and Erdahl.

HENNEPIN COUNTY.

Bridge at
Brown's
bay.

SEC. 31. That the sum of twelve hundred (1200) dollars is hereby appropriated out of said fund, to aid in the building of a bridge across the outlet of Brown's Bay, between Mud Lake and Brown's Bay, where the old bridge is now located.

The said sum to be expended under the direction of E. B. Sanders and W. S. Dickey.

HOUSTON COUNTY.

Bridges in
Houston
county.

SEC. 32. That the sum of two hundred fifty (250) dollars is hereby appropriated out of said fund to aid in

building a bridge across the Root river in the northwest quarter of the northeast quarter of section 34, township 104, range 4, being in the town of Hokah in said county.

That the further sum of two hundred fifty (250) dollars is hereby appropriated out of said fund to aid in building the abutments for the bridge across Root river at a point in section 32, township 104, range 6, the exact location to be designated by the board of county commissioners of said county, being in the town of Houston, in said county, the said sums to be expended under the supervision of the board of county commissioners of said county.

HUBBARD COUNTY.

SEC. 33. That the sum of six hundred (600) dollars is hereby appropriated out of said fund, to aid in building one or two bridges, as the case may be, across Steamboat river in the township of Farden, in said county; one of said bridges to be located on the section line between sections fifteen (15) and twenty-two (22), where said line crosses Steamboat river, and the other bridge to be located on the section line between sections twenty-seven and thirty-four (34), where said section line crosses said river, public highways having been laid out on said section lines.

Hubbard
county
bridges.

The said amount shall be expended under the direction of the board of supervisors of said town of Farden, for one or both of said bridges as, in their judgment, may seem best.

That the sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in the construction or repair of a certain wagon road in the town of Arago, leading to the State Park, which is described as follows: Beginning at the northwesterly corner of section eight (8), in township one hundred forty (140), range thirty-five (35), and running thence northerly on the section line between sections five (5) and six (6) in said town, and between sections thirty-one (31) and thirty-two (32) and twenty-nine (29) and thirty (30), in township one hundred forty-two (142), of said range thirty-five (35), to the quarter post on the easterly line of said section thirty (30).

\$200 for
wagon
road.

That the said sum shall be expended under the direction of the supervisors of said town of Arago.

ISANTI COUNTY.

For
foundations
and ap-
proaches.

SEC. 34. That the sum of five hundred (500) dollars is hereby appropriated out of said fund, to aid in building foundations or approaches, or both foundations and approaches as the case may be, for a bridge across Rum river, in section thirty-two (32), township thirty-six (36), range twenty-three (23), being in the town of Wyanett, in said county.

Said amount shall be expended under the direction of the board of supervisors of said town.

ITASCA COUNTY.

SEC. 35. That the sum of twelve hundred (1,200) dollars is hereby appropriated out of said fund, to aid said county in building roads or bridges, as the case may be.

The said amount to be expended under the direction of the board of county commissioners of Itasca county.

JACKSON COUNTY.

Bridge
across Des
Moines
river.

SEC. 36. That the sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in building a bridge across the Des Moines river in the north-east quarter (N. E. $\frac{1}{4}$) of section one (1), in the town of Delafield, in said county.

Said money shall be expended under the direction of the board of supervisors of said town.

KANABEC COUNTY.

Improvement
of roads.

SEC. 37. That the sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in the completion of the so-called "Mora and Graston Stage Road," in the town of Grass Lake, in said county. That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in the repair of the so-called "Mora and Mille Lacs Stage Road," where the same runs over and across township forty-one (41), range twenty-four (24), west, in the town of Hillman, in said county.

That the said sums shall be expended under the direction of the board of county commissioners of said county of Kanabec.

KANDIYOHI COUNTY.

SEC. 38. That the sum of one hundred fifty (150) dollars is hereby appropriated out of said fund, to aid in building a grade and bridge between the southwest quarter (S. W. $\frac{1}{4}$) and southeast quarter (S. E. $\frac{1}{4}$), of section eleven (11), in the township of Norway Lake.

The said sum to be expended under the direction of O. O. Rindahl, K. A. Botten and P. H. Peterson of Holum, Minnesota.

That the further sum of one hundred fifty (150) dollars is hereby appropriated out of said fund, to aid in the grading of the Willmar and Norway Lake Road, where it runs over and across sections twenty-one (21) and twenty-eight (28), township one hundred twenty (120), range thirty-five (35), in the township of Dovre. Grading
a road.

The said sum to be expended under the direction of C. C. Birkeland, K. T. Ryken and O. S. Kanikkeberg.

That the further sum of one hundred fifty (150) dollars is hereby appropriated out of said fund, to aid in building a bridge across Crow river, on the section line between sections thirteen (13) and fourteen (14), township one hundred twenty-two (122), range thirty-three (33), in the town of Roseville. For
bridge
across
Crow
river.

That the said sum shall be expended under the direction of the board of supervisors of said town of Roseville.

KITTSOON COUNTY.

SEC. 39. That the sum of four hundred (400) dollars is hereby appropriated out of said fund to aid in building a road and bridge in the county of Kittson, across what is known as the "Twin Lake Swamp," beginning at the southeasterly corner of section twenty-nine (29), then running easterly on the section line between sections twenty-nine and thirty-two (29 and 32) and sections twenty-eight (28) and thirty-three (33) and sections twenty-seven (27) and thirty-four (34), in township one hundred fifty-nine (159), range forty-five (45). For road
and bridge.

That the further sum of four hundred (400) dollars is hereby appropriated out of said fund to aid in building a road and bridges in the county of Kittson across what is known as the "Jupiter Swamp," beginning at the southwesterly corner of section twenty-three (23), township one hundred sixty (160), range forty-seven (47), and continuing three (3) miles due east along the south Road
across
swamp.

boundary of sections twenty-three (23) twenty-four (24), township one hundred sixty (160), range forty-seven (47), and along the south boundary of section nineteen (19), township one hundred sixty (160), range forty-six (46).

The said amounts shall be expended under the direction of the board of county commissioners of said Kittson county.

LAC QUI PARLE COUNTY.

\$200 for
wagon
bridge.

SEC. 40. That the sum of two hundred (200) dollars is hereby appropriated out of said fund to aid in the construction of a wagon bridge over the Lac qui Parle river where the same crosses the township line between the townships of Manfred and Mehurin, in said county.

Over Lac
qui Parle
river.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund to aid in constructing a wagon bridge over the main branch of the Lac qui Parle river at a point on the present highway, where the same crosses said river on the section line between sections three (3) and ten (10), township one hundred seventeen (117), range forty-three (43), in said county.

That said amount shall be expended under the supervision of the board of county commissioners of said county.

LE SUEUR COUNTY.

Bridge
across
Le Sueur
river.

SEC. 41. That the sum of three hundred fifty (350) dollars is hereby appropriated out of said fund to aid in building a bridge across the Le Sueur river upon the southwest quarter of southeast quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) section twenty-five (25), township one hundred twelve (112), range twenty-six (26).

Said sum to be expended under the direction of the common council of the city of Le Sueur.

At outlet
of lake.

That the further sum of one hundred fifty (150) dollars is hereby appropriated out of said fund to aid in building a bridge across the creek which is the outlet of Lake Dora, in section 4, township 110, range 23, west, and in repairing the town line road between the townships of Kilkenny and Montgomery, in said county; said sum to be expended under the direction of James Delahanty and the chairmen of the boards of supervisors of Kilkenny and Montgomery.

That the further sum of one hundred fifty (150) dollars is hereby appropriated out of said fund to aid in building a bridge across the Big Cannon river at or near the outlet of Lake Tetonka, in section 27, township 109, range 23, west, in said county; and to aid in building and grading a public road running westerly from said bridge along the south shore of said Lake Tetonka; said sum to be expended under the direction of H. G. Schulz, George Cram and W. H. Luker.

Lake
Tetonka.

LINCOLN COUNTY.

SEC. 42. That the sum of three hundred (300) dollars is hereby appropriated out of said fund to aid in building a road on the section line between sections sixteen (16) and seventeen (17), township one hundred ten (110), range forty-five (45), being in the town of Diamond Lake; the exact location to be designated by and the said sum to be expended under the direction of the board of supervisors of said town of Diamond Lake.

To build
a road.

That the further sum of three hundred (300) dollars is appropriated out of said fund to aid in constructing a road or bridge, as the case may be, on the section line running north and south between sections thirty-three (33) and thirty-four (34), town one hundred ten (110), range forty-four (44), being across a big slough in the town of Marshfield, in said county.

For road
or bridge.

The said money to be expended under the direction of the board of supervisors of said town of Marshfield.

LYON COUNTY.

SEC. 43. That the sum of three hundred (300) dollars is hereby appropriated out of said fund to aid in the construction of a bridge in the town of Westerheim; the exact location to be designated by and the said sum to be expended under the supervision of the board of supervisors of said town of Westerheim.

Location
to be
designated.

That the further sum of three hundred (300) dollars be hereby appropriated out of said fund to aid in constructing a bridge in the town of Nordland; the exact location to be designated by and the said money expended under the supervision of the board of supervisors of said town of Nordland.

MCLEOD COUNTY.

Rich
Valley
bridge.

SEC. 44. That the sum of one hundred fifty (150) dollars is hereby appropriated out of said fund to aid in building a bridge across Crow river in the town of Rich Valley, in section twenty (20) in said town.

The said money to be expended under the supervision of the board of supervisors of said town of Rich Valley.

At
Hutchinson.

That the further sum of one hundred fifty (150) dollars is hereby appropriated out of said fund to aid in constructing a bridge across Crow river, where said river intersects Bluff street in the village of Hutchinson in said county. Said bridge to be built under the supervision of, and the said sum to be expended by the village council of said village of Hutchinson.

Bridge at
Lynn.

That the further sum of one hundred fifty (150) dollars, to aid in constructing a bridge across Crow river in section three (3), in the township of Lynn, in said county; the exact location to be designated by and the said money expended under the supervision of the township supervisors of said town of Lynn.

MARSHALL COUNTY.

Across
Thief river.

SEC. 45. That the sum of six hundred (600) dollars is hereby appropriated out of said fund to aid in constructing a wagon bridge across Thief river, in said county, on the section line running east and west between sections twenty-seven (27) and thirty-four (34), in township one hundred fifty-five (155), range forty-three (43).

That the said sum shall be expended under the direction of the board of county commissioners of said Marshall county.

MARTIN COUNTY.

For cutting
channel.

SEC. 46. That the sum of six hundred (600) dollars is hereby appropriated out of said fund to aid in cutting a channel between Budd and Hall lakes for preserving and improving the same, and for the construction of a bridge and grade across such channel.

The said money to be expended under the supervision of the township board of supervisors of the town of Fairmont.

MEEKER COUNTY.

To build
three
bridges.

SEC. 47. That the sum of one hundred fifty (150) dollars is hereby appropriated out of said fund to aid in building a bridge across Crow river, in section fifteen (15), in the township of Kingston, in said county. That the sum of one hundred fifty (150) dollars is hereby appropriated out of said fund to aid in building a bridge across the north fork of Crow river where the said stream crosses the public highway, in section twenty-two (22), in said township of Kingston. That the further sum of one hundred fifty (150) dollars is hereby appropriated out of said fund to aid in building a bridge across the south fork of Crow river where said river crosses the public highway, between sections fourteen (14) and twenty-three (23), in the town of Cosmos, in said county.

That said sums shall be expended under the direction of the board of county commissioners of said Meeker county.

MILLE LACS COUNTY.

SEC. 48. That the sum of six hundred (600) dollars is hereby appropriated out of said fund to aid in the construction of a bridge across the east branch of Rum river where the same is crossed by the east and west center line of sections nine (9) and (10), township thirty-six (36), range twenty-six (26) west, in Mille Lacs county; the exact location to be designated by and said sum expended under the supervision of the town board of supervisors of said town, in said county.

Rum river
bridge.

MORRISON COUNTY.

SEC. 49. That the sum of two hundred fifty (250) dollars is hereby appropriated out of said fund to aid in constructing a road commencing in the town of Scandia Valley and extending to the city of Little Falls.

That the further sum of two hundred fifty (250) dollars is hereby appropriated out of said fund, to aid in grading and improving the road which extends from the village of Royalton to the Mississippi river.

At
Royalton.

That the said sums are to be expended under the direction of the board of county commissioners of said county.

MOWER COUNTY.

SEC. 50. That the sum of three hundred (300) dollars is hereby appropriated out of said fund to aid in

Two
bridges in
Mower
county.

building a bridge across Rose creek on the section line between sections twenty-six (26) and twenty-seven (27), in the township of Austin, in said county.

That the further sum of three hundred (300) dollars is hereby appropriated out of said fund, to aid in building a bridge across Roberts' creek, between section thirty-one (31), in the township of Red Rock, and section six (6), in the township of Windom, in said county.

The said sums to be expended under the supervision of Joseph Keenan, M. Stephenson and F. E. Hambrecht.

MURRAY COUNTY.

Village of
Currie.

SEC. 51. That the sum of five hundred (500) dollars is hereby appropriated out of said fund to aid in building a bridge across the Des Moines river in the village of Currie, in said county.

The said sum to be expended under the direction of the village council of said village of Currie.

NOBLES COUNTY.

For a
steel bridge.

SEC. 52. That the sum of five hundred (500) dollars is hereby appropriated out of said fund, to aid in building a steel bridge across Kanaranzi creek, where said creek crosses the section line between sections thirteen (13) and fourteen (14), township one hundred and two (102), range forty-three (43), in said county.

Said sum to be expended under the supervision of the town board of supervisors of the town of West Side, in said county.

NORMAN COUNTY.

To complete
drainage
ditch.

SEC. 53. That the sum of six hundred (600) dollars is hereby appropriated out of said fund for the purpose of completing a drainage ditch commencing in section fifteen (15), and running thence through the southwestern part of section fourteen (14); thence south of the west line of section twenty-three (23), in said county of Norman, toward the Polk county line.

Said sum to be expended under the direction of the board of county commissioners of said county of Norman.

OLMSTED COUNTY.

Zumbro
river
bridge.

SEC. 54. That the sum of six hundred (600) dollars is hereby appropriated out of said fund, to aid in building a bridge across Zumbro river at a point on or near the line

running east and west between the town of Cascade and the town of Oronoco, in said county.

Said sum to be expended under the supervision of the chairmen of the respective town boards of supervisors of the towns of Cascade and Oronoco.

OTTER TAIL COUNTY.

SEC. 55. That the sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a bridge across Red river, in section twenty-eight (28), in the township of Aurdall. Across
Red river.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a bridge in section thirty-four (34), in the township of Gorman. Town of
Gorman.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a bridge across Stony Bar Lake Lida, section thirty-two (32) and thirty-three (33), in the township of Lake Lida. Lida.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a bridge across Red river at the outlet of Rush lake, in section twenty-six (26), township of Rush Lake. Rush
Lake.

The said sums to be expended under the supervision of the respective boards of supervisors of said townships of Aurdall, Gorman, Lake Lida and Rush Lake.

PINE COUNTY.

SEC. 56. That the sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in building a bridge across Bear Creek where the highway, as now laid out on the section line between sections twenty-one (21) and twenty-eight (28), township forty-one (41), range nineteen (19), crosses said creek, being in the town of Barry. Bear
Creek.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a bridge across Kettle river, on the northwest quarter of the southwest quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$), of section thirty-five (35), in the town of Finlayson. Kettle
river.

Said sums shall be expended under the supervision of the respective boards of supervisors of said towns of Barry and Finlayson.

At Sand-
stone.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a bridge across Kettle river in the village of Sandstone.

Said sum to be expended under the direction of the village council of the said village of Sandstone.

PIPESTONE COUNTY.

Split Rock
creek.

SEC. 56½. That the sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in the construction of a bridge across Split Rock creek on the section line between the northwest quarter (NW¼) of section twenty-one (21) and the northeast quarter of (NE¼) of section twenty-two (22), in township one hundred five (105), north of range forty-six (46), west, being in the township of Eden, Pipestone county, Minnesota.

The said amount to be expended under the supervision of the township board of supervisors of said town of Eden.

POLK COUNTY.

Erskine.

SEC. 57. That the sum of one hundred (100) dollars is hereby appropriated out of said fund, for improving the county road running from the village of Erskine to the postoffice in the town of Winger, Polk county.

The said sum to be expended under the direction of the village council of the village of Erskine.

Hill
river.

SEC. 58. That the sum of one thousand (1,000) dollars is hereby appropriated out of said fund, to aid in the grading and construction of a road along the town lines between Hill river and Eden and Chester and Gully in the county of Polk.

The said sum to be expended under the supervision of John Hillestad, S. S. Stadsvold and Sivert Larson.

POPE COUNTY.

Chippewa
river.

SEC. 59. That the sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in building a bridge across the Chippewa river where the public highway crosses the same, in the northeast quarter (NE¼) of section thirty-three (33), in the town of Chippewa Falls, in said county.

The said sum to be expended under the supervision of the town supervisors of said town of Chippewa Falls.

RAMSEY COUNTY.

SEC. 60. That the sum of eight hundred (800) dollars is hereby appropriated out of said fund, to aid in building a bridge across Rice creek in the town of Mound's View, in said county; the exact location to be determined by, and the money to be expended under the direction of the board of supervisors of said town of Mound's View.

Rice
creek.

That the further sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in constructing a bridge between Kohlman's and Gervaise lakes, in the town of New Canada, in said county.

New
Canada.

The said sum to be expended under the direction of the board of supervisors of said town of New Canada.

RED LAKE COUNTY.

SEC. 61. That the sum of eight hundred (800) dollars is hereby appropriated out of said fund, to aid in building a bridge across Thief river at or near the quarter line of section twenty-seven (27), township one hundred fifty-four (154), range forty-three (43), in said Red Lake county.

Thief
river.

Said money is to be expended under the direction of S. F. Staples, M. Barzen and D. M. Winton, of said Red Lake county, who are hereby made a committee for that purpose.

REDWOOD COUNTY.

SEC. 62. That the sum of three hundred (300) dollars is hereby appropriated out of said fund, to aid in building a bridge across Redwood river at a point at or near where said river crosses the section line between sections nineteen (19) and twenty (20), township one hundred twelve (112), range thirty-seven (37), being in the township of Sheridan, in said county.

Redwood
river.

Said sum to be expended under the supervision of the town board of supervisors of the said town of Sheridan.

That the further sum of three hundred (300) dollars is hereby appropriated out of said fund to aid in building a bridge across Redwood river at a point at or near where said river crosses the section line between sections fifteen (15) and sixteen (16), township one hundred twelve (112), range thirty-eight (38), in or near the village of Vesta.

Village
of Vesta.

Said sum to be expended under the supervision of the village council of the village of Vesta in said county.

RENVILLE COUNTY.

Martins-
burg.

SEC. 63. That the sum of one hundred (100) dollars is hereby appropriated out of said fund to aid in building a bridge in the town of Martinsburg in said county.

Erickson.

That the further sum of one hundred (100) dollars is hereby appropriated out of said fund, to aid in building a bridge in the town of Erickson in said county.

Said sums to be expended under the supervision of the respective boards of supervisors of said towns of Martinsburg and Erickson.

Beaver
Falls.

That the further sum of three hundred (300) dollars is hereby appropriated out of said fund to aid the village of Beaver Falls in paying for a bridge now constructed.

The said amount to be expended under the direction of the village council of said village of Beaver Falls.

RICE COUNTY.

Heath
Creek.

SEC. 64. That the sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a bridge across Heath creek on the road leading from Northfield to Dundas, known as the "West Side Road."

Said money to be expended under the direction of the common council of the city of Northfield.

Warsaw.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a steel bridge across Cannon river, at the outlet of Cannon lake, in the town of Warsaw.

Constructing
a road.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in constructing a road crossing the southwest quarter (SW $\frac{1}{4}$) of section twenty-eight (28), township one hundred ten (110), range twenty-one (21), being in the town of Wells.

Said sums to be expended under the supervision of the respective boards of supervisors of the said towns of Warsaw and Wells.

ROCK COUNTY.

Rock
river.

SEC. 65. That the sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in building a bridge across Rock river on the line between sections

twenty-eight (28) and thirty-three (33), in township one hundred four (104), range forty-four (44), being in the town of Battle Plain.

Said money to be expended under the supervision of the board of supervisors of said township.

ROSEAU COUNTY.

SEC. 66. That the sum of two hundred fifty (250) dollars is hereby appropriated out of said fund, to aid in building a bridge across Roseau river, on the section line running north and south between sections twenty-eight (28) and twenty-nine (29), in the town of Deiter. That the further sum of two hundred fifty (250) dollars is hereby appropriated out of said fund, to aid in building a bridge across Roseau river in the town of Politz; the exact location to be determined by a majority vote of the electors of said town of Politz, at either a special election to be held for that purpose, or at any regular election at which the question may be taken up.

Roseau river.

Politz.

The said sums to be expended under the supervision of the respective boards of supervisors of the said towns of Deiter and Politz.

That the further sum of fifteen hundred (1,500) dollars is hereby appropriated out of said fund, to aid in constructing a road between the villages of Roseau and Warroad; one-half of said fund to be expended on the west end of said road, and one-half on the east end of said road, near the village of Warroad. The road to be constructed on the location that is known as the "Winter Road," on the survey for said road made by George Ralph of Crookston, Minnesota. The said appropriation is made on the condition, that the county commissioners of Roseau county appropriate the sum of five hundred (500) dollars, to aid in building said road, making a total expenditure for said road of two thousand (2,000) dollars.

To construct a road.

County to help.

The half of said sum which is to be used for building the west end of said road shall be expended under the supervision of Israel Sjöberg, Bendix Holdahl and Mike Holm of the village of Roseau, and the half of said sum to be used in building the east end of said road, near the village of Warroad, shall be expended under the supervision of J. Friend Holmes, Thomas Lawson and Thomas Jones of the village of Warroad.

Under whose supervision.

ST. LOUIS COUNTY.

White
Face
river.

SEC. 67. That the sum of one thousand (1,000) dollars is hereby appropriated out of said fund, to aid in constructing a bridge across White Face river at a point at or near where said river intersects the line between sections seventeen (17) and twenty (20), township fifty-three, north, range nineteen (19), west; the exact location to be determined by, and the money to be expended under the direction of Hon. Edward M. Patterson and W. B. Kirkwood of Duluth, Minnesota, and Nels Mattson of the town of Kelsey, in said county and state.

SCOTT COUNTY.

Repairing
roads.

SEC. 68. That the sum of six hundred (600) dollars is hereby appropriated out of said fund, to aid in building and repairing roads and bridges in said Scott county; the said sum to be expended under the supervision of the board of county commissioners in said county.

SCOTT AND HENNEPIN COUNTIES

Hamilton
Ferry.

SEC. 68½. That the sum of eight hundred (800) dollars is hereby appropriated out of said fund, to aid in building a bridge across the Minnesota river at Hamilton Ferry.

Conditions.

The above appropriation is made upon the condition, that the balance of the funds required to build said bridge, is raised by Hennepin and Scott counties, Hennepin county to pay five-sixths (5-6) and Scott county one-sixth (1-6) of the cost of said bridge above said appropriation.

The said sum of eight hundred (800) dollars to be expended under the supervision of the county commissioners of said Scott and Hennepin counties.

SHERBURNE COUNTY.

Baldwin.

SEC. 69. That the sum of two hundred fifty (250) dollars is hereby appropriated out of said fund, to aid in constructing a wagon road, extending from the southwest corner of the southeast quarter (SE¼) of section twenty-one (21), in township thirty-five (35), range twenty-six (26), in said county; thence due north to the northwest corner of the northeast quarter (NE¼) of section forty-two (42), in said town and range.

Said money to be expended under the supervision of the town board of supervisors of the town of Baldwin, in said county.

That the further sum of two hundred fifty (250) dollars is hereby appropriated out of said fund, to aid in constructing a wagon bridge across Elk river, in the township of Becker, on the state road running from Becker to Princeton, on section thirty-two (32), township thirty-four (34), range twenty-eight (28). Becker.

Said money to be expended under the supervision of the township supervisors of said town of Becker.

That the further sum of three thousand (3,000) dollars is hereby appropriated out of said fund, to aid in building a bridge across the Mississippi river in the village of Elk River; the exact location of said bridge to be determined by the village council of said village of Elk River, and said money to be expended under the supervision of H. E. Craig, W. H. Houlton and E. H. Davis of said county of Sherburne. Bridge
across
Mississippi.

SIBLEY COUNTY.

SEC. 70. That the sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a steel wagon bridge in town one hundred thirteen (113), range twenty-seven (27), in said county. That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a steel wagon bridge on the Gosewitch road in section fourteen (14), where said road crosses High Island creek. High
Island
creek.

The said sums to be expended under the supervision of the town board of supervisors of the town of Arlington.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in repairing or rebuilding the bridge across Rush river, in the northwest quarter of the northeast quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$), of section fifteen (15), being in the town of Alfsborg in said county. Rush
river.

The said money to be expended under the supervision of the town board of supervisors of said town of Alfsborg.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund, to aid in building a bridge in the township of Cornish in said county, the exact location to be designated, and the said sum to be Town of
Cornish.

expended under the direction of the board of supervisors of said town of Cornish in said county.

STEARNS COUNTY.

Bridge
repairs.

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New
Paynesville.

SEC. 71. That the sum of one hundred (100) dollars is hereby appropriated out of said fund, to aid the township of Spring Hill in paying for bridge repaired during the summer of 1902.

Said sum to be expended under the supervision of said town board of supervisors of the town of Spring Hill.

That the further sum of one hundred (100) dollars is hereby appropriated out of said fund, to aid the village of New Paynesville in building a bridge across the north fork of Crow river on what is commonly known as the "Creamery Road." The said sum to be expended under the supervision of the village council of the village of New Paynesville.

Sauk
river.

That the further sum of one hundred (100) dollars is hereby appropriated out of said fund to aid in the constructing a bridge across Sauk river, in section ten (10), township one hundred twenty-six (126), being in the township of Sauk Centre in said county.

Said sum to be expended under the direction of the board of supervisors of said township of Sauk Centre.

Clearwater
river.

That the further sum of three hundred (300) dollars is hereby appropriated out of said fund to aid in building a bridge across Clearwater river, in section four (4), township one hundred twenty-one (121), range twenty-eight (28).

Said sum to be expended under the supervision of the town board of supervisors of the town of Fairhaven.

Avon.

That the further sum of two hundred (200) dollars is hereby appropriated out of said fund to aid in building a bridge in the town of Avon, between sections twenty-one (21) and twenty-two (22), town one hundred twenty-five (125), range thirty (30).

Said sum to be expended under the supervision of the town board of supervisors of said town of Avon.

STEELE COUNTY.

Turtle
Creek.

SEC. 72. That the sum of four hundred (400) dollars is hereby appropriated out of said fund to aid in building a bridge across Turtle creek on the town line road between sections twelve (12), town one hundred six (106),

range twenty (20), and seven (7), town one hundred six (106), range nineteen (19), or where said town line road crosses said creek.

The said money to be expended under the supervision of the respective boards of supervisors of the towns of Aurora and Somerset, in said county.

STEVENS COUNTY.

SEC. 73. That the sum of five hundred (500) dollars is hereby appropriated out of said fund to aid in building a bridge in the town of Horton, the exact location of which shall be determined by and said sum expended under the supervision of the board of supervisors of said town of Horton.

Town of
Horton.

SWIFT COUNTY.

SEC. 74. That the sum of seven hundred (700) dollars is hereby appropriated out of said fund to aid in building a bridge across Shakopee creek where a certain highway crosses said creek on the northeast quarter (NE $\frac{1}{4}$) of section twenty-seven (27), township one hundred twenty (120), range thirty-seven (37).

Shakopee
creek.

Said sum to be expended under the supervision of the town board of supervisors of the town of Pillsbury in said county.

TODD COUNTY.

SEC. 75. That the sum of four hundred (400) dollars is hereby appropriated out of said fund to aid in the construction of bridges in said county.

Hartford.

Said money to be expended under the supervision of the township board of supervisors of the town of Hartford in said county.

TRAVERSE COUNTY.

SEC. 76. That the sum of six hundred (600) dollars is hereby appropriated out of said fund to aid in building a bridge and constructing a road from some point on the west side of said township across Bois de Sioux river and flats, the exact location of the same to be determined by the town board of supervisors of the township of Lake Valley. The said town supervisors shall also supervise the construction of said road and bridge, and the said money shall be expended under their direction.

Bois de
Sioux.

WABASHA COUNTY.

Mazeppa.

SEC. 77. That the sum of one thousand (1,000) dollars is hereby appropriated out of said fund to aid in constructing a bridge across the Zumbro river at the village of Mazeppa.

The said sum to be expended under the supervision of the chairman of the board of county commissioners of said Wabasha county. The county commissioner from the third commissioners' district of said county and the president of the village council of the village of Mazeppa.

WADENA COUNTY.

Leaf
river.

SEC. 78. That the sum of eight hundred (800) dollars is hereby appropriated out of said fund to aid in the constructing a bridge across Leaf river at a point about thirty-five (35) rods, more or less, west of the northeast corner of the northwest quarter (NW $\frac{1}{4}$) of section twenty-nine (29), town one hundred thirty-five (135), range thirty-five (35), the exact location to be determined by and said money to be expended under the supervision of the board of supervisors of the town of Leaf River in said county.

WASECA COUNTY.

Improving
roads.

SEC. 79. That the sum of four hundred (400) dollars is hereby appropriated for the purpose of improving roads in said county; two hundred (200) dollars to be expended on the road across sections nineteen (19) and thirty (30), township one hundred seven (107), range twenty-two (22); one hundred (100) dollars to be expended on a road across sections twenty-seven (27) and thirty-four (34), in township one hundred seven (107), range twenty-four (24); one hundred (100) dollars to be expended on the road on section line between sections twenty (20) and twenty-one (21), in township one hundred five (105), range twenty-two (22).

The said sums to be expended under the direction of the board of county commissioners of said county of Waseca.

WASHINGTON COUNTY.

Gray
Cloud.

SEC. 80. That the sum of five hundred (500) dollars is hereby appropriated out of said fund to aid in constructing a bridge in the northwest quarter (NW $\frac{1}{4}$) of

section twenty-four (24), township twenty-seven (27), range twenty-two (22), to connect the island of Gray Cloud with the main land.

Said sum to be expended under the direction of the board of county commissioners of said Washington county.

WATONWAN COUNTY.

SEC. 81. That the sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid in building a bridge across the north branch of the North Branch river, where the section line between sections five (5) and six (6), township one hundred seven (107), range thirty-two (32), intersects said north branch of the North Branch river.

North
Branch
river.

Said sum to be expended under the supervision of the board of supervisors of the town of Nelson, in said county.

WILKIN COUNTY.

SEC. 82. That the sum of four hundred (400) dollars is hereby appropriated out of said fund, to aid the village of Breckenridge in protecting Minnesota avenue and River street, where the same abut upon the Red River of the North, against the encroachments of said river, by piling, riprapping or any other mode of holding the bank, as the case may be.

Brecken-
ridge.

Said sum to be expended under the supervision of the village council of said village of Breckenridge.

WINONA COUNTY.

SEC. 83. That the sum of three hundred (300) dollars is hereby appropriated out of said fund, to aid in building a bridge across the south branch of Whitewater river, in section six (6), in the town of Utica.

Utica.

Said sum to be expended under the supervision of the town board of supervisors of said town of Utica.

That the further sum of three hundred (300) dollars is hereby appropriated out of said fund, to aid in building a bridge on the road commonly called the "Winona Cut-off," in the northeast corner of the town of Homer.

Homer.

The said amount to be expended under the direction of the town board of supervisors of said town of Homer.

WRIGHT COUNTY.

Clearwater
river.

SEC. 84. That the sum of eight hundred (800) dollars is hereby appropriated out of said fund, to aid in building a bridge across Clearwater river, in section four (4), town one hundred twenty-one (121), range twenty-eight (28), on the line between the counties of Wright and Stearns, in the State of Minnesota.

The said amount to be expended under the direction of the respective boards of supervisors of the towns of Southside, in Wright county, and Fairhaven, in Stearns county.

YELLOW MEDICINE COUNTY.

Wagon
road.

SEC. 85. That the sum of six hundred (600) dollars is hereby appropriated out of said fund, to aid in building a wagon road or bridge, as the case may be, to be constructed east of the village of Canby, in said county of Yellow Medicine. If a road is constructed, it shall be between sections thirty-five (35) and thirty-six (36), in the town of Hammer, and sections two (2) and one (1), in the town of Norman. In case a bridge is constructed, it shall be built across the south branch of Lac qui Parle river, in said county and state.

The said amount to be expended under the supervision of the chairman of the respective boards of supervisors of said towns of Hammer and Norman.

LAKE COUNTY.

Roads
and bridges.

SEC. 86. That the sum of four hundred (400) dollars is hereby appropriated out of said fund to aid the county of Lake in building roads and bridges in said county; said sum to be expended under the supervision of the board of county commissioners of said county of Lake.

LE SUEUR AND NICOLLET COUNTIES.

Kasota.

SEC. 87. That the sum of five hundred (500) dollars is hereby appropriated out of said fund to aid the city of St. Peter and the village of Kasota in building a bridge across the Minnesota river at a point where the wagon road between said city and village crosses said river; said sum to be expended under the direction of the city council of the city of St. Peter.

BLUE EARTH COUNTY.

SEC. 88. That the sum of four hundred (400) dollars is hereby appropriated out of said fund to aid in the construction of a bridge across Perch creek between the SW quarter and the NW quarter of section 20, in township 106, range 29 west, where the public highway crosses said creek, being in the town of Ceresco, in said county. Said sum to be expended under the direction of the board of supervisors of said town.

Perch
creek.

SEC. 89. The towns, villages or counties, receiving appropriations under this act, are hereby authorized and empowered to issue certificates of indebtedness, either bonds, warrants or orders, as the case may be, in addition to any other indebtedness they may now have, to enable them to raise sufficient funds to complete the work contemplated under the different sections of this act. Said certificates of indebtedness to be issued by the township boards of supervisors, village councils or county commissioners, representing said township, villages or counties, as the case may be.

Authorized
to issue
certificates.

SEC. 90. That no person, or persons, appointed under any section of this act to let contracts, superintend construction or disburse any funds hereunder, shall be directly or indirectly interested in any part of the work of construction of any road, bridge or drainage work, nor shall receive any of the money of this act appropriated, nor shall any of said committees, committee men or commissioners receive any compensation for their services as such committees, committeemen or commissioners.

SEC. 91. Section eleven (11) of chapter three hundred nine (309) of the General Laws of nineteen hundred one (1901), is hereby specifically repealed.

SEC. 92. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

H. F. No. 731.

CHAPTER 291.

To establish municipal courts.

An act to establish municipal courts in incorporated villages having a population of more than two thousand (2,000) and less than three thousand (3,000) inhabitants, in all counties whose population is more than fifty thousand (50,000) and less than one hundred and fifty thousand (150,000), according to the United States census for the year nineteen hundred. This act is to apply to counties having a population of 50,000 inhabitants or over and less than 150,000 inhabitants.

Be it enacted by the Legislature of the State of Minnesota :

Cities of more than 50,000 and less than 150,000 population.

SECTION 1. There is hereby established in each incorporated village in the State of Minnesota having a population of more than two thousand (2,000) and less than three (3,000) thousand inhabitants, in all counties whose population is more than fifty thousand (50,000) and less than one hundred and fifty thousand (150,000), according to the United States census for the year nineteen hundred, a municipal court, for the transaction of all business which may lawfully come before it.

Jurisdiction of court.

SEC. 2. Said court shall be a court of record and shall have a clerk and seal, and shall have jurisdiction to hear, try and determine civil actions of law where the amount in controversy does not exceed five hundred (\$500) dollars. It shall also have exclusive jurisdiction to hear all criminal complaints and conduct all examinations and trials in criminal cases arising and triable within such village heretofore cognizable before a justice of the peace or a de facto municipal court, and its jurisdiction shall be co-extensive with the limits of the county in which such village is situated.

Claims not to exceed \$500.

It shall not have jurisdiction of action for divorce, nor of any action when the relief asked for in the complaint is purely equitable in its nature; nor cases involving the title to real estate; nor false imprisonment, libel, slander, malicious prosecution, criminal conversations or seduction, or upon a promise to marry, nor for an action against an executor, or administrator as such, and when in any case pending in said court a counter claim in excess of five hundred (\$500) dollars over plaintiff's claim, or an equitable defense or ground for equitable relief is interposed, or whenever it shall appear from the pleadings or

upon the trial of any cause that the title to real estate is involved, the said court shall immediately cause an entry of the facts to be made of record, and cease all further proceedings in the same, and order the clerk to certify and return to the district court of the county in which such village is situated a transcript of all entries made in the record relating to the cause, together with all process and paper relating to the cause, and the clerk shall within ten days after being so ordered make such certificate and return; and thereupon such district court shall proceed in the cause to final judgment and execution the same as if said cause had been commenced in said district court, as near as may be, and the costs shall abide the event of the action.

Return to
district
court.

Provided, the clerk of said municipal court shall not make such certificate or return, until the costs chargeable by the clerk shall have been paid.

SEC. 3. The qualified electors of such village shall at the general village election to be held in the year nineteen hundred and four and at the general village election every third year thereafter, elect a suitable person to the office of said judge of municipal court, who shall be called "municipal judge," who shall hold his office for a term of three years and until his successor shall be elected and qualified.

Election
of judges.

In case of any vacancy in the office of municipal judge the governor of the State of Minnesota shall appoint some qualified person to said office until the next annual village election occurring more than thirty days after the vacancy shall have happened, when a judge shall be elected for a full term of three years.

Governor
shall appoint.

The governor of the State of Minnesota, shall immediately after the passage of this act, and the acceptance of the provisions of the same as hereinafter provided, appoint some suitable person to said office, who shall hold the same until his successor is elected and qualified.

The judge of said municipal court shall be a qualified elector of said village.

SEC. 4. Before entering upon the duties of his office the judge shall take and subscribe an oath as prescribed in the general statutes for judicial officers, which oath shall be filed in the office of the village recorder of said village.

Oath.

He shall have the general powers of judges of courts

Power of
judges.

of record, and may administer oaths and take and certify acknowledgments in all cases, and as a conservator of the peace shall have all power and authority which is by law vested in justices of the peace, or any other judicial officer.

In case of sickness or other cause requiring his absence, he may procure any competent and disinterested attorney in the county to act for him.

Such attorney so called in shall take and subscribe the same oath of office and have all the powers possessed by the municipal judge in said matter, or during such time, as he may, by the written order of such municipal judge, be requested so to act.

Prior to the entry of such appointed person upon the discharge of such judicial functions, the judge shall enter a full copy or such order in the records of the court.

May
practice law.

Nothing in this act shall be so construed as to disqualify or prevent the municipal judge from practicing as an attorney in any court of this state, except in said municipal court.

Clerk.

SEC. 5. Said municipal court shall have a clerk, who shall be appointed or removed at the pleasure of said judge by an order in the minutes of the court.

Bond of
clerk.

The salary or compensation of said clerk shall be such as such judge shall direct and shall be paid by such judge.

Such clerk, before he enters upon the duties of his office shall take an oath to support the Constitution of the United States and of the State of Minnesota, and to faithfully and honestly discharge and perform the duties of his office, and shall execute to such village a penal bond in the sum of one thousand (\$1,000) dollars with two sureties, to be approved by the president of said village, conditioned that he will account to and pay over to said village and county, on the first Monday of every month, all fines, penalties, and other moneys belonging to or to go to said village and county, which may have come into his hands during the month next preceding, and that he will, at all times, pay over to all other persons, on demand, all moneys to which they may be entitled, which have come into his hands in virtue or by reason of his said office.

Oath and
bond to
be filed.

Such oath and bond shall be filed in the office of said clerk or recorder of said village.

Powers of
the court.

SEC. 6. The municipal court shall have full power

and authority to issue all process, civil and criminal, necessary and proper to carry into effect the jurisdiction given to it by law, and its judgments and other determinations, and it shall have and possess all of the powers usually possessed by courts of record at common law, subject to modifications of the statutes of this state applicable to courts of record, except that it shall not have jurisdiction to issue writs of habeas corpus, quo warranto, ne exeat, mandamus, prohibition nor injunction.

All process shall be attested in the name of the judge, and issued under the seal of the court and signed by the clerk, who shall be styled "clerk of the municipal court," and the forms of process may be prescribed by the court by rule or otherwise, and any form so prescribed shall be valid and sufficient, and such form may be changed by the court from time to time in the absence of such prescribed form of process in use in courts of record in this state or by justices of the peace.

Attested in
name of
judge.

Process may be directed for service to any police officer, marshal, or constable of the village, or to the sheriff of the county, or to any or all of them.

SEC. 7. The municipal court shall be held in said village at some suitable place to be provided therefor by the judge, or, if the village council shall so determine, by the village.

When
held.

Its judge shall be the chief magistrate of the village, and shall see that the criminal laws of the state, and the ordinances, laws, regulations and by-laws of said village are observed and executed, and for that purpose shall open his court at any time, Sundays and legal holidays excepted, and proceed to hear and dispose of, in a summary manner, all causes which shall be brought before him by the police officers or marshals of the village, or otherwise, either with or without process, for violations of the criminal laws of the state, committed within the county in which said village is situated, or of the ordinances, laws, regulations or by-laws of said village.

Chief
magistrate
of village.

The clerk of said court shall keep a record of all its proceedings and enter all orders, judgments and sentences, under the supervision of the judge, and issue commitments and executions, as well as all other process.

Keep
record.

SEC. 8. The clerk of said municipal court shall have the custody and care of all the books, papers and records of said court.

Custody
of books.

Judge
may
appoint.

He shall be present at all trials, unless absent from sickness or with consent of the judge, and in case of his absence the judge may appoint some person temporarily in his place.

He may swear all witnesses and jurors and administer all oaths and affidavits, and take acknowledgments.

Costs and
disburse-
ments.

He shall keep minutes of all proceedings and enter all judgments, and make up and keep the records of the court under the direction of the judge.

He shall tax all costs and disbursements allowed in any action, subject to review by the judge, and do all other things and acts necessary and proper to the enforcement and carrying out of the jurisdiction of the court, and when the judge is not present, adjourn the court from day to day.

Report
fines and
penalties.

He shall receive all fines and penalties, and all fees of any kind, accruing to the court or clerk, and keep full, accurate and detailed account of the same; and shall, on the first Monday of every month, deliver and pay over to the treasurer of the village all moneys so received for fines and penalties imposed for violations of the ordinances, regulations and by-laws of said village, with detailed accounts thereof, under oath, and take from such treasurer a duplicate receipt for such payments, one of which receipts he shall forthwith file in the office of recorder or clerk of such village.

Disposal
of moneys.

He shall on the same day of each month deliver and pay over to the treasurer of the county all moneys received by him for fines and penalties imposed for violations of the criminal laws of this state, and take from such treasurer a duplicate receipt for such payments, one of which receipts he shall forthwith file with the auditor of such county.

May
appoint
deputy
clerk.

The clerk of said court may, when he deems the same necessary, appoint, with the sanction of the judge, a deputy clerk of said municipal court, for whose acts the said clerk shall be responsible, and said deputy shall be appointed under the hand of said clerk and seal of said court, with the sanction of said judge indorsed upon the back of said appointment; and before any deputy clerk of said court shall enter upon the duties of his office he shall take and subscribe the same oath prescribed and required to be taken by the clerk of said court, which oath, together with the appointment of such deputy clerk, shall

Oath.

The deputy clerk of said court shall be paid by the clerk.

He may administer oaths, take acknowledgments and perform all duties pertaining to the office of clerk of said municipal court.

Sec. 9. The municipal court shall hold regular terms for the trial of civil actions on the first Tuesday of each month, which term shall continue, from day to day, with such adjournments as to the court may seem proper, until the business of each term shall be finished; and the court may by rule or order appoint such terms to be held oftener or upon other days than the days above mentioned.

SEC. 10. All civil actions for the recovery of money only shall be commenced by summons to be issued by the clerk.

The form of the summons may be as follows:

STATE OF MINNESOTA,)
) ss.

Form of
summons

County of _____

Village of _____
Municipal Court.

The State of Minnesota to any police officer of said village or to the sheriff or any constable of said county.

You are hereby commanded to summon _____,
if he shall be found within the county of _____,
to be and appear before the municipal court of the village
of _____, at a term thereof to be holden on
the _____ day of _____, 18____, at the hour of _____
o'clock in the forenoon, and answer to _____
in a civil action whose complaint is on file in said court,
and have you then and there this writ.

_____, municipal judge, this _____ day of _____, 18____, Witness the Honorable

Clerk of Municipal Court.

or the summons may be in any other form which the court may by rule prescribe, shall be served upon the defendant at least six (6) days before the commencement of the term at which the same is made returnable.

Service of
summons.

SEC. 11. The summons in this court shall be served in the same manner as prescribed by statutes for service of summons, in district court in all cases or classes of cases whereof this court has jurisdiction, except that in case of service of summons by publication, the period of such publication shall be three (3) consecutive weeks instead of six.

No summons shall be issued until the complaint in the action shall have been filed with the clerk.

Pleadings
in writing.

SEC. 12. All pleadings in said municipal court shall be in writing. If the defendant fails to appear at the opening of the court on the day on which the summons is made returnable, judgment may be entered against him for an amount not exceeding that mentioned in the complaint and for costs and disbursements, except that when the action is for unliquidated damages or relief, the plaintiff shall obtain such judgment, only as he shall show himself entitled to by evidence and proof.

If he so appear, he shall then, or at such time as the court may designate, by rule or otherwise, answer the complaint; and if the answer contain a counter claim or new matter, the plaintiff shall reply thereto forthwith, or at such time as the court may, by rule, or otherwise, designate.

Verification
of pleadings.

The answer and reply shall be in writing and filed with the clerk, and such pleading shall be verified by the party, his agent or attorney, either as in courts or justices of the peace or in the district courts of this state.

Demurrer.

SEC. 13. Either party may demur to any pleadings of his adversary, as in the district court, except that the demurrer to any pleading shall be filed within the same time allowed for filing an answer or reply to such pleading.

SEC. 14. All pleadings shall be construed liberally, and technical objections shall be disregarded.

SEC. 15. The court may for good cause, in its discretion, and upon such terms as it may deem equitable, open any default at the same term at which it may have occurred, or allow an amendment of any pleading at any time, and shall disregard variance between the allegations of a pleading and the evidence, unless satisfied that the adverse party is prejudiced thereby.

Continuance
of civil
action.

SEC. 16. Either party shall be entitled to a continuance of a civil action, except action for forcible entry and

unlawful detainer, until the next term of the court following the term at which the summons is made returnable; and further continuance may be granted upon sufficient cause shown and on such terms as may be just.

SEC. 17. Said court shall have authority to order that the plaintiff, in any civil action in which a justice of the peace would have jurisdiction, and when the amount is beyond the jurisdiction of a justice of the peace when the plaintiff is a non-resident of this state, shall, by bond, recognizance or deposit of money with the clerk, give security for the costs in such sums as the court may designate; when the plaintiff in any cause shall neglect or refuse to so give such security when ordered, the court may dismiss such cause at the cost of said plaintiff.

Give
security.

SEC. 18. Costs shall be allowed in actions determined in said court to the prevailing parties as follows:

Costs.

To the plaintiff upon a judgment in his favor of one hundred dollars or more, or in actions of replevin, when the value of the property is one hundred dollars or more, when no issue of fact or law is joined, five dollars; when an issue is joined, ten dollars.

To the defendant, when the amount claimed in the complaint is one hundred dollars or more, upon discontinuance or dismissal, five dollars; when judgment is rendered in his favor upon the merits, in such case, ten dollars.

SEC. 19. Costs and disbursements shall be taxed and allowed by the clerk, upon two days' notice in writing by either party, unless notice is waived by stipulation, and inserted in the entry of judgment. The provisions of the law relating to the taxation of costs and disbursements and appeals therefrom in the district court shall apply to this court.

Notice in
writing.

SEC. 20. Any creditor desiring to proceed by attachment in said court, may, at the time of commencing the action, or thereafter and while the action is still pending, by himself, his agent or attorney, make and file with the clerk an affidavit similar to the affidavit required by law in the application for a writ of attachment in a justice court, and also cause to be filed with the clerk a bond with sufficient sureties to be approved by the judge, court commissioner or any justice of the peace of the county in which said village is situated, except that in cases not

Filing of
affidavit.

within the jurisdiction of a justice court the limit of liability thereon shall be mentioned therein as not exceeding the sum of two hundred fifty dollars. The writ of attachment may be in form as follows:

Form of
writ.

State of Minnesota, County of _____. ss. Village of _____. Municipal Court.

The State of Minnesota to any police officer in the said village of _____ or to the sheriff or any constable of said county:

You are hereby commanded to attach the goods, chattels, moneys, effects and credits of _____ or so much thereof as shall be sufficient to satisfy the sum of _____ with interest and costs to suit, in whoever's hands or possession the same may be found in said county, and so provided that the same may be subject to further proceedings as the law requires; and make due return of this writ.

Witness the honorable _____ judge of said court, this _____ day of _____.

Clerk.

Or the writ may be in any other form that the court may prescribe by law or otherwise.

In all other respects, save as in this act otherwise provided, the service of the writ and other proceedings thereon shall be similar, as near as may be, to the service of such writ and proceedings in the justice court.

Application
to vacate.

SEC. 21. The defendant may at any time before the time for answering expires, or at any time thereafter, when he has answered, before the trial, apply to the court, on five days' notice, to vacate the writ of attachment.

If the motion is made upon affidavits on the part of the defendants, but not otherwise, the plaintiff may oppose the same with counter affidavits.

SEC. 22. The plaintiff in an action to recover possession of personal property may, at the time of the issuing of the summons, or at any time before answering, claim the immediate delivery of such property.

The plaintiff, his agent or attorney, shall make and file an affidavit, similar to the affidavit required in the justice court in like case.

Shall execute
bond.

The plaintiff, or some person in his behalf, shall execute a bond with sufficient sureties, to be approved by the

judge, court commissioner or a justice of the peace of the county in which said village is situated, conditioned, similar to the bond required in such case in the justice court, as near as may be, and file such bond, and an action may be maintained on such bond as upon similar bonds filed in like actions in justice courts.

The clerk shall thereupon issue the writ, which may be in form as follows:

State of Minnesota, County of _____ ss. Vil- Form of writ.
lage of _____ Municipal Court.

The State of Minnesota to any police officer of said village of _____, or to the sheriff or any constable of said county.

Whereas, _____ complains that _____ has become possessed of and unjustly detains from _____ the following described goods and chattels, that is to say: (Particularly describing the articles of value). Therefore, you are hereby commanded to cause the said goods and chattels to be replevined without delay, and deliver the same to the said _____ and return this writ to the court within _____ days, together with the return of your proceedings thereon.

Witness, the Honorable _____, municipal judge, this _____ day of _____, A. D. 18____.

(L. S.) _____

Clerk of Municipal Court.

Or the writ may be in any other form that the court may prescribe, by rule or otherwise.

SEC. 23. The writ mentioned in the preceding section shall be served and all proceedings thereunder had, as near as may be consistent with the practice of this court, in the same manner as in the proceedings in replevin in the justice court; but the times of trial and the forms of pleadings shall be the same as in other actions in this court. Practice of court.

The officer executing the writ shall retain the property taken under it in his custody for three days before delivering the same to plaintiff; and if within that time the defendant, or some one in his behalf, shall execute to the plaintiff a sufficient bond in amount equal to the bond filed by the plaintiff, with sufficient sureties, to be approved by the judge, court commissioner or a justice of the peace of the county in which said village is situated conditioned as in like cases in the district court, and file Custody of property.

such bond, the clerk shall thereupon issue an order to the officer to deliver such property to the defendant.

Deft. may
except.

SEC. 24. The defendant may except to the sufficiency of the plaintiff's sureties within the same time and in the same manner as in proceedings of claim and delivery of personal property in district court, and when defendant so excepts, the same proceedings shall be had as in like actions in the district court, except that the justification of sureties be had before the judge of said municipal court or the court commissioner or a justice of the peace in which said village is situated.

The qualifications of sureties shall be the same as required in like actions in district court.

Calendar
of causes.

SEC. 25. The clerk of said court shall, prior to each term of the court, make up a calendar of the causes which shall come up for trial, or for any disposition before the court, at such term, adopting such arrangement as the judge may direct; and the court shall direct the order of trial, and other disposition of causes.

Trial by
jury.

SEC. 26. In all actions where either party demands a trial by jury, such jury shall be drawn and empaneled in the same manner as in justice courts, and the laws of this state relative to trial by jury in justice courts shall apply to this court; *provided*, that the judge of said court may direct the chief of police or any police officer or marshal of said village to perform the duties prescribed to be performed by the sheriff or constable in justice courts.

SEC. 27. Depositions may be taken and read in evidence in said court as in justice courts, and all laws relative to depositions in justice courts shall apply to said municipal court.

Jurisdiction
of actions.

SEC. 28. Title eighteen of chapter sixty-six of the General Statutes of eighteen hundred seventy-eight, and title nineteen of the same chapter, shall apply to said court, and said court shall have jurisdiction of actions of forcible entry and unlawful detainer, and may fix return days for such actions other than the regular term days of said court; and chapter eighty-four of the General Statutes of eighteen hundred seventy-eight, shall apply to said court and the practice shall be the same in such cases, as near as may be, to similar proceedings in justice courts.

Garnishee
proceedings.

SEC. 29. Proceedings against garnishee may be instituted in the same manner as in justice court, but the

summons may be served either by an officer authorized by this act to serve process, or by any person not a party to the action, at any place within the State of Minnesota; and the summons may be made returnable at any term of said court which may be named therein; and the notice required to be served on the defendant may be signed by either the clerk of said court, or the person serving the garnishee summons, or the plaintiff or his attorney.

Service of
notice.

The disclosure of the garnishee may be taken and all further proceedings had in the same manner as if the proceedings were in the district court, except that the examination of the garnishee shall be before the judge of said court or a referee by him appointed.

SEC. 30. No judgment rendered in said municipal court shall attach as a lien upon real estate until a transcript thereof shall be filed in the district court, as hereinafter provided; but writs of execution thereon may issue against the goods and chattels of the judgment debtor, returnable within thirty days, as in justice courts, the provisions for renewals of executions in district courts shall apply to this court, except that such renewal shall extend the life of the execution for only thirty days from the date of such renewal, and except that no renewal of such execution shall be made by the clerk until the fee of twenty-five cents therefor shall have been paid.

Writs of
execution
may issue.

Every person in whose favor a judgment has been rendered in said municipal court for an amount exceeding five dollars besides costs may, upon paying the fee therefor, demand and shall receive from such clerk a transcript of the docket entries of such judgment, duly certified, and may file the same in the office of the clerk of the district court in and for the county in which said village is situated, who shall file and docket the same, as in the case of transcripts of judgments from courts of justices of the peace.

Transcript
of docket.

And every such judgment shall become a lien upon the real estate of the debtor from the time of filing such transcripts to the same extent as a judgment of said district court, and shall thereafter be exclusively under the control of said district court and carried into execution by its process, as if said judgment had been rendered in said district court, the clerk of said municipal court shall not issue such transcript while a writ of execution is outstand-

Lien upon
real
estate.

ing, in the hands of an officer, or otherwise, and shall note on the record of said judgment the fact that such transcript has been given; and shall not, thereafter, issue any writ of execution on the same judgment, but may, at any time after the first transcript is issued, give to any party applying therefor, upon such party paying the clerk's fee therefor, a new transcript, and the clerk shall note the record of each transcript given upon such judgment.

Complaints
in criminal
cases.

SEC. 31. Complaints in criminal cases, where the defendant is not in custody, may be made to the judge or clerk, in writing, or reduced to writing by the judge or clerk, and sworn to by the complainant whether the offense charged be a violation of the criminal laws of this state, or of the ordinances, regulations or by-laws of said village; and the clerk shall issue a warrant only upon the order of the judge indorsed upon the complaint, and complaints, warrants and all other process in criminal cases may follow substantially the same forms heretofore in use by justices of the peace, with such alterations as may be convenient to adapt the same to the style of said municipal court, or may be in such other form as the court may prescribe, sanction or approve.

Form of
warrants
and com-
plaints.

Plea of
defendant.

In all cases where alleged offenders shall be in custody and brought before the court without process the clerk shall enter upon the records of the court a brief statement of the offense with which the defendant is charged, which shall stand in place of a complaint unless the court shall direct a formal complaint to be made. The plea of the defendant shall be "Guilty" or "Not Guilty."

In case of a failure to plead, the clerk shall enter a plea of "Not Guilty," and a former acquittal or conviction for the same offense may be proved under the plea as well as if formerly pleaded.

Clerk to
keep
minutes.

In the examination of offenders charged with indictable offenses the clerk shall keep such minutes of the examination as the court shall direct and shall make the proper return to the court before which the party charged with the offense may be bound to appear.

Fees that
may be
taxed.

In all proceedings had in said municipal court the following fees shall be charged and collected by the judge or clerk as and for the compensation of the judge, and said fees may be taxed in all cases where applicable, as follows:

For summons, warrant or subpoena, thirty-five (35) cents.

For a venire for a jury, the same as in a justice court.

For a warrant in a criminal case, thirty-five (35) cents.

Taking a recognizance, thirty-five (35) cents.

Administering an oath, twenty-five (25) cents.

Certifying the same when administered out of court, twenty-five (25) cents.

For a writ of attachment, thirty-five (35) cents.

For hearing and deciding every motion for a new trial, every demurrer, and every motion to open a default, one (\$1) dollar.

Appeal from taxation of costs, one (\$1) dollar.

Entering a judgment, thirty-five (35) cents.

Every adjournment, twenty-five (25) cents.

Every bond, recognizance or security directed by law to be taken by judge of court, thirty-five (35) cents.

Taking an examination, deposition or confession, or entering any cause in docket, per folio, fifteen (15) cents.

For copy of any paper, proceeding or examination in any case, when demanded, per folio, fifteen (15) cents.

Entering a satisfaction of judgment, twenty-five (25) cents.

Issuing a commission to take testimony, fifty (50) cents.

Entering any order or exception thereto, ten (10) cents.

Entering amicable suit without process, thirty-five (35) cents.

For transcript of judgment, thirty-five (35) cents.

Opening a judgment for rehearing, thirty-five (35) cents.

Filing every paper required to be filed, five (5) cents.

Issuing notice to take depositions, thirty-five (35) cents.

Taking recognizance, certifying oath or affidavit, and making return to district court, per folio, fifteen (15) cents.

For search warrant, thirty-five (35) cents.

For commitment to jail, thirty-five (35) cents.

For an order to bring up prisoner, thirty-five (35) cents.

For an order to discharge prisoner issued to jailor, thirty-five (35) cents.

Discharging a prisoner, after hearing a motion to discharge, twenty-five (25) cents.

For an execution, thirty-five (35) cents.

For every other writ not herein enumerated, thirty-five (35) cents.

For every affidavit or other paper drawn by the judge or clerk, for which no other allowance is made by law, per folio, fifteen (15) cents.

Taxing costs, twenty-five (25) cents.

Marriage
fee.

For marrying and making return thereof, three (\$3) dollars, and such other sum as may be allowed by the parties making the application.

Holding an inquisition in cases of forcible entry and unlawful detainer, in addition to other fees, one (\$1) dollar.

Taking and certifying the acknowledgment of a deed, for each grantor named therein, twenty-five (25) cents.

Mileage.

For traveling to perform any duty, when not otherwise provided for and such travel is necessary, per mile, going and returning, ten (10) cents.

Fees must
be paid.

SEC. 33. The clerk shall not be required to enter any judgment in any cause, nor perform any services required of him in any cause, as such clerk, after the entry of judgment therein, until the fees therefor shall have been paid.

Prohibited
from hold-
ing other
office.

SEC. 34. The judge of said municipal court shall hold no other office under said village, and no law partner of said judge shall practice before said court.

Village
attorney to
prosecute.

SEC. 35. The village attorney of said village shall have charge of the prosecution of all criminal cases before said court wherein the defendant is charged with the violation of the village charter, or any ordinance or by-laws of the village, and the county attorney of the county in which said village is situated shall act in the prosecution or examination of offenders charged with other offenses, when required by law to prosecute in like cases before a justice of the peace.

Clerk to
tax costs
and fees.

SEC. 36. In all criminal cases tried in said court and in examination of the persons therein charged with crime, the clerk shall tax costs and fees as hereinbefore provided in this act; and when said court has final jurisdiction, and the defendant is convicted the clerk shall tax

the said costs as part of the costs against the defendant and include the same in the judgment to be entered against him.

SEC. 37. In all examinations of persons charged with crime under the laws of this state, and in all trials of criminal cases under such laws, when defendant is acquitted and when he is convicted and does not pay his fine and costs within ninety days after the final determination of said cause, the clerk shall make out an itemized bill of the costs accruing to the municipal court in such case or examination, certified under his hand and seal of said court, and file such bill with the auditor of the county in which said village is situated, who shall, upon such presentation, draw his warrant upon the treasurer of such county for the amount of the bill so presented, in favor of the judge of said court, and the treasurer of said county shall forthwith pay the same.

When paid
by county.

In all trials of criminal cases under the ordinances, by-laws and regulations of said village, when the defendant is acquitted, and when he is convicted and does not pay his fine and costs within ninety days after the final determination of said case the clerk shall make out an itemized bill of said costs accruing to the municipal court in such case, certified under his hand and seal of said court, and file such bill with the recorder or clerk of said village, who shall, upon presentation, draw his order upon the treasurer of said village for the amount of the bill so presented in favor of the judge of said court, and the treasurer of said village shall forthwith pay the same.

When paid
by village.

SEC. 38. All appeals from any judgment, order or action of said court shall be had to the district court of the county in which such village is situated, in like manner and under the same rules of practice and procedure as in case of appeal from justice to district courts, the General Laws of this state relating to appeals from justice courts, and the laws relating to proceedings for contempt before justices of the peace shall apply to this court.

Appeals to
district
court.

SEC. 39. Any village in the class mentioned in the title of this act which may wish to avail itself of the provisions of this act shall do so by a resolution of its village council, expressly accepting the provisions hereof, which resolution shall be adopted by a vote of four-fifths of all the members of such council, and be approved by the president of such village.

Accepting
provisions
of act.

SEC. 40. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

H. F. No. 771.

CHAPTER 292.

R

Counties of
200,000 and
over.

An act authorizing county commissioners in all counties of this state now having or which shall hereafter have a population of two hundred thousand (200,000) inhabitants or over to purchase and equip a power road roller and a rock crusher and to provide for the operation, maintenance and management of the same.

Be it enacted by the Legislature of the State of Minnesota:

Authorized
to purchase
power road
roller
and rock
crusher.

SECTION 1. The county commissioner in all counties of this state now having or which shall hereafter have a population of two hundred thousand (200,000) inhabitants or over are hereby authorized and empowered to expend the sum of six thousand (6,000) dollars or so much thereof as is necessary for the purchasing and equipping a power road roller and a rock crusher.

Licensed
engineer.

SEC. 2. Such county commissioners are hereby authorized to employ a licensed engineer to operate said road roller and sufficient help to operate said rock crusher and to annually expend necessary funds for the maintenance of said crusher and roller.

Used on
county
work only.

SEC. 3. Said road roller and rock crusher and equipment shall be used only upon county work.

SEC. 4. During the year 1903 such board of county commissioners are hereby authorized to purchase said rock crusher, road roller and equipment with any funds in the county treasury not otherwise appropriated.

SEC. 5. In determining whether any county in the state has a population of two hundred thousand (200,000) inhabitants or over reference shall be had to the last national or state census.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

CHAPTER 293.

H. F. No. 279.

An act to authorize cities of over ten thousand and under fifty thousand inhabitants of this state to acquire lands for public parks and parkways within the corporate limits of any such city, and thereafter to maintain, improve and govern the same as public parks or parkways, and fixing the maximum limit of expenditures yearly for such maintenance, improvement and government, by the boards of park commissioners of such cities respectively.

Cities over
10,000 and
less than
50,000.

03 c 293
110-NW 1119

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any city of this state, now or hereafter having a population of over ten thousand and under fifty thousand inhabitants, according to the next preceding state or national census, is hereby authorized and empowered to receive as gift or donation, in whole or in part, and to acquire, by purchase or donation, through the agency of its board of park commissioners, for the use by the public of lands lying within the corporate limits of such city, and if by condemnation, then in the manner hereinafter set forth, and to, thereafter, hold and control, and from time to time lay out, alter, improve, operate and maintain such lands for public parks and parkways, *provided*, that the control, improvement and maintenance herein established shall extend over, and cover all park lands heretofore acquired by such city.

Authorized
to receive
by gift,
or purchase,
lands
within
corporate
limits for
public
parks and
parkways.

Lands
heretofore
acquired.

SEC. 2. For the purpose of making and perfecting such condemnation of such lands for such public use for parks and parkways, the board of park commissioners of any such city shall proceed in the following manner:

Condemna-
tion.

Whenever they shall deem it to be for the public interest that any such tract or parcel of land should be taken, appropriated or condemned, for the use of said city as aforesaid, and shall so determine by resolution thereto duly passed, they shall cause the same to be surveyed and platted by duplicate plats, one of which duplicate plats shall be filed in the office of the city engineer of said city.

Appraisers.

The said board of park commissioners shall thereupon appoint a board of three appraisers, who shall be disinterested freeholders and qualified voters of the city in which the lands so to be taken and condemned are situated, to view the premises and appraise the damages which may

be occasioned by the taking, appropriation and condemnation of the property in question, and the said appraisers shall be notified, as soon as practicable, by the secretary of said board of park commissioners to attend at a time to be fixed by him, for the purpose of qualifying and entering upon their duties. They shall thereupon be sworn to discharge their duties as appraisers in the matter with impartiality and fidelity and to make due return of their acts as such to said board of park commissioners.

**Notice by
publication.**

They shall, with all reasonable speed, give notice by publication in the official newspaper of said city, once a week for two consecutive weeks, the last of which publications shall be at least ten days before the day of such meeting, and which said notice shall contain a general description of the lands designated for appropriation by the board of park commissioners, including a separate and distinct description of each and every lot or parcel of land proposed to be taken, together with the owners' names, where known; and that a plat of the same has been filed in the office of the city engineer and that the said appraisers will meet at a place and time designated, and thence proceed to view the premises and to appraise the damages for the property so to be taken, appropriated and condemned. At the time named in said notice the said appraisers shall meet and view the premises, and may hear any evidence adduced or offered by the parties interested, and adjourn, from time to time, for the purpose aforesaid, and when their view and hearing shall be concluded, they shall determine and appraise the amount of damages to be paid the owner or owners of each piece or parcel of property proposed to be taken, appropriated or condemned, and having ascertained and appraised the damages, as aforesaid, they shall make and file with the secretary of the board of park commissioners a written report to said board, detailing their action in the premises, embracing a schedule, and the appraisement of the damages in each case, with a description of the land and the names of the owners, if known to them, and also a statement of the cost of the proceedings.

Hearing.

Report.

**Secretary to
give no-
tice by
publication.**

SEC. 3. Upon the filing of such report with the secretary of the board of park commissioners, as aforesaid, the secretary shall thereupon give notice by a publication of the filing of said appraisers' report in the official newspaper of the city, once a week for two successive weeks,

the last publication of which shall be at least ten (10) days before the meeting of the board of park commissioners mentioned in it, and that the report of the appraisers will be considered by the board of park commissioners at a meeting thereof to be named in the notice, and any person interested shall, before the time specified for said meeting in said notice, notify the said board of park commissioners, in writing, of any objections which he may have in the premises, and the board of park commissioners, upon the day fixed for the consideration of such report, or at such subsequent meeting to which the same may stand over, or be referred shall have the power in their discretion, to confirm, revise or annul the appraisalment, in whole or in part, giving due consideration to any objections interposed by the parties interested. *Provided, however,* that said board of park commissioners shall have no power to reduce the amount of any of the appraisements, but in case the appraisalment is annulled, in whole or in part, the said board may thereupon appoint new appraisers, who shall proceed in like manner as in the case of the first appraisalment, as to any land in which the former appraisalment was annulled.

New appraisers.

SEC. 4. When the board of park commissioners shall have finally confirmed the appraisalment, in whole or in part, the said award shall thereupon stand as a charge against the city, payable out of its park fund, and shall be paid, or deposited and set apart in the treasury of said city to and for the use of the parties entitled thereto within six months after the confirmation of said appraisalment and report, except that in case any appeal shall be taken from the order of confirmation aforesaid, then the amount of such damages shall not in any case be required to be paid or deposited and set apart, as aforesaid, until sixty days shall have expired after the determination of the appeal so taken, as hereinafter provided.

Appraisalment confirmed.

Appeal.

SEC. 5. Any person whose property is proposed to be taken, appropriated and condemned under the provisions hereof, who deems there is any irregularity in the proceedings of the board of park commissioners or in the acts of the appraisers in the premises, by reason of which the award of the appraisers ought not to be confirmed, or who is dissatisfied with the amount of the damages awarded to him, may at any time before the time specified for the consideration of the award by the board of park

commissioners, as aforesaid, file with the secretary of said board, in writing, his objections to such confirmation, setting forth therein specifically the peculiar irregularities complained of, containing a description of the property in which he is interested which would be affected by such proceedings and his interest therein; and if, notwithstanding such objections, the said board shall confirm the award, any such objecting person shall have the right to appeal from such order of confirmation to the district court in and for the judicial district in which any such city may be located. Such appeal must, however, be taken within ten days after the date of such confirmation, by filing with the secretary of the said board of park commissioners a notice thereof, in writing, and it shall thereupon be the duty of said secretary to make out and transmit within ten days next following, to the clerk of the district court aforesaid, a copy of the award of said appraisers as confirmed by the board of park commissioners, and of the order of the board confirming the same and of the objections filed, as aforesaid, by the appellant. The case may thereupon be brought on for hearing upon eight days' notice, at any general or special term, and shall have precedence of all other civil cases, and the judgment of the court shall be to either confirm or annul the proceedings, so far as they affect the property of the appellant described in the written objections.

Appeal
within 10
days after
confirmation.

Right to
jury trial.

Verdict
final, ex-
ception.

Costs.

"Sec. 6. In case the amount of damages awarded is complained of by such appellant, if the proceedings shall be confirmed in other respects, the party appealing shall have the right to a jury trial upon the proofs and evidence pertaining to the question of the amount of such damages which may be adduced by either of the parties to the appeal. The verdict of the jury upon the questions of damages shall be final unless set aside by the court for good cause shown and the amount of the verdict shall thereupon become a charge against the city to be paid in the same manner as the award and appraisalment of the appraisers appointed by the board of park commissioners would have been paid had no appeal been taken. Costs and disbursements shall be taxed and allowed to the appellant if the verdict is for more than the amount appealed from, and to the respondent if for less, and to neither party if of same amount as appealed from."

SEC. 7. As soon as the proceedings for acquiring the title to any such tracts, pieces or parcels of land shall

have been completed pursuant to the terms hereof, it shall be the duty of the board of park commissioners to make or cause to be made an accurate description of all the lands so acquired, with a statement of the amount of damages awarded and paid therefor, and it shall be certified by the president and secretary of said board under the official seal of said board, and together with one of the plats hereinbefore required, shall be filed for record in the office of the register of deeds of the county in which the land so taken may be situated, and after such record shall have been accomplished the same shall be filed in the office of the secretary of said board of park commissioners as a part of the permanent records of said board, and the other of said plats shall be filed with the city engineer of any such city and shall become part of the permanent records of his office.

Certified list of lands acquired, awards, together with plats filed with register of deeds for record, and then filed with secretary of park board.

SEC. 8. The board of park commissioners of each of such cities shall annually on or before the first (1st) day of September, in each year, transmit to the recorder of said city, an estimate in writing of the amount of money necessary for the payment of interest on bonds issued by said board, and also of the amount of money that will be required for the improvement, maintenance and government of said parks and parkways, during the succeeding year; and the city recorder shall certify the same to the county auditor of said county; *provided, however*, that no more than five thousand (5,000) dollars shall be expended in any one year for the improvement, maintenance and government of said parks, unless authority therefor be first obtained by the board of park commissioners from the city council. The county auditor shall proceed to determine what per cent on the taxable property of the city, the sum, thus certified by the city recorder, is, and shall extend the same on the next general tax list in a separate column, and the same shall be collected in the same manner as other city taxes, and all the provisions of law in respect to the collection of its state and county taxes, and proceedings to enforce the same, so far as applicable, shall apply to said assessment and taxes. The money collected from such taxes and proceeds from all park bonds issued, together with all other moneys provided or received for the benefit of this act, shall be placed by the treasurer of said city to the credit of the board of park commissioners, and shall be drawn from the city treasury by warrant, signed by the president and

Annual estimates transmitted to recorder.

Limit of expenditure.

Tax levy.

City park fund.

secretary of the board and, in no other way, and shall constitute a fund to be known and established as the "City Park Fund."

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

H. F. No. 538.

CHAPTER 294. R

Sheriffs.

03 c 294
96-M - 64
104-NW 680

An Act to amend section eleven (11) of chapter seventy (70) of the General Statutes of one thousand eight hundred and seventy-eight (1878), relating to the fees of sheriffs, and the service of district court papers, being section fifty-five hundred and fifty (5550) of the General Statutes of one thousand eight hundred and ninety-four (1894).

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section eleven (11) of chapter seventy (70) of the General Statutes of one thousand eight hundred and seventy-eight (1878), being section fifty-five hundred and fifty (5550) of the General Statutes of one thousand eight hundred and ninety-four (1894), be and the same is hereby amended so as to read as follows:

Fees.

Section 11. Sheriffs—For serving a summons, warrant, writ, or any process issued by any court of record, one dollar for each defendant served.

Mileage.

Traveling in making any service upon any writ or summons, ten cents per mile for going and returning, to be computed from the place where the court is usually held, also reasonable and necessary expenses actually paid out for food necessarily furnished any prisoner while conducting him to jail, and all necessary transportation charges actually paid out in transporting any such prisoner by a common carrier.

Taking and approving a bond, fifty cents, a certificate copy of such bond when requested ten cents per folio.

Copy of every summons or other papers served by the sheriff, when such copy is made by him, ten cents per folio.

Collections on executions, when the same is collected or settled after levy, at the rate of four per centum upon

the first two hundred and fifty dollars, and two per centum upon the excess of said sum.

The fees herein allowed for the service of an execution and for advertising thereon, shall be collected by virtue of such execution in the same manner as the sum therein directed to be levied, but when there are several executions against the defendant at the time of advertising his property, in the hands of the same sheriff, there shall be but one advertising fee charged on the whole, and the sheriff shall elect on which execution he will receive the same.

Several
executions,
one ad-
vertising fee.

Advertising sale, one dollar, and the reasonable fees paid to any printer by such sheriff for publishing an advertisement of sale.

Fees.

Posting three notices of such sale one dollar and fifty cents. Every certificate on the sale of real estate, two dollars, and one dollar for each copy, which, together with the register's fees for filing the same, shall be collected as other fees on execution; but no sheriff shall charge for more than one certificate issued upon the same sale to the same purchasers, unless he requires it, in which case he shall pay to said sheriff one dollar for each additional certificate.

Posting
notice of
sale, etc.

Serving a writ of restitution on possession, and putting any person entitled into the possession of premises, and removing the occupants, three dollars.

Writ of
restitution.

Summoning a jury upon a writ of inquiry, attending such jury, and making and returning the inquisition, one dollar and fifty cents. Summoning a special jury, struck pursuant to an order of the court, and returning the panel, fifty cents for each juror and mileage at ten cents per mile for the number of miles necessarily traveled in summoning the panel. Summoning a jury pursuant to any precept or summons of any officer in special proceedings, two dollars; and attending such jury, when required, one dollar, and mileage at ten cents per mile for the number of miles necessarily traveled in summoning the panel.

Summon-
ing jury
upon writ
of inquiry,
etc.

Bringing up a person upon a habeas corpus to testify or answer in any court or with the cause for his arrest and detention, or for the purpose of having him surrendered in exoneration of bail, or receiving such a prisoner so surrendered into his custody, or for committing a prisoner to jail, or for bringing any prisoner before any court or officer for examination, or hearing, in either case one dollar; and for traveling, the same mile-

Habeas
corpus, etc.

age as upon service of writs; and the further sum of one dollar for attending before any such officer or court, during any such examination or hearing, attending court, three dollars per day.

Attachment
upon ship,
etc.

Serving attachment upon any ship, boat, or vessel in proceedings to enforce any lien thereon created by law, three dollars, and such additional compensation for his trouble and expenses in taking possession of and preserving the same as the officer issuing the warrant shall certify to be reasonable. Selling any ship, boat, vessel, or the tackle, apparel and furniture thereof so attached, and for advertising the same, the same fees as are allowed on executions.

Inventory
and ap-
praisal.

Making and returning an inventory and an appraisal of property attached in any case, two dollars per day to each appraiser for each day actually employed and one dollar for each half day.

Summon-
ing grand
and petit
jurors.

Summoning grand or petit jurors, fifty cents for each juror summoned, and mileage at fifteen cents per mile for the number of miles necessarily traveled in summoning the panel; also ten cents for copy of a short notice made by him and delivered to each juror serving subpoena, fifty cents for each witness summoned, and mileage as in service of a summons; but when two or more witnesses summoned in the same action live in the same direction, mileage shall be charged only for the furthest. Selling lands or foreclosure of mortgage by advertisement, and executing certificate and deed to purchaser, and for all services required on such sale, three dollars. Selling land on a decree by foreclosure, and executing a deed, and for all services required in making such sale, the sum of three dollars. Postponing a sale, one dollar, to be paid by the party requesting the same. Making and drafting an inventory of property levied upon, replevied or attached, twenty-five cents for each folio; and for each copy of such inventory, ten cents per folio.

Foreclosure
by adver-
tisement.

On a decree,
etc.

Party not
found.

For diligent search and inquiry, and returning summons when parties cannot be found, one dollar; and returning execution when no property found, one dollar.

On redemp-
tion.

Receiving and paying over the money paid on redemption of property and executing certificate thereof, one per cent on the amount so received and paid to be collected from the person redeeming such property, providing that in no case shall the fee for the making of such redemption exceed the sum of seven dollars.

For the necessary expenses which may be incurred to secure and safely keep all property taken by the sheriff by virtue of a warrant of attachment, execution or writ of replevin, such sum as may be allowed by court.

For all United States revenue stamps, now or hereafter required by law to be used upon any certificate, deed, or other instrument, the cost of such stamps so used, and also such sum as may be required to be paid to the United States government as a tax on any sale made by him.

U. S.
revenue.

For serving order or citation in probate court, one dollar and mileage at ten cents per mile.

Probate
court.

Apprehending a person alleged to be insane, pursuant to the order of the probate court, one dollar, and ten cents per mile mileage; also necessary expenses incurred for necessary assistance in conveying such insane person to or from any such court; also necessary expenses incurred for food furnished such person; also necessary expenses incurred for transportation of any such insane person by any common carrier to or from his home in such proceeding conveying an insane patient to any hospital for the insane, three dollars per day and necessary expenses incurred for food, assistance and transportation charges.

The probate judge is authorized to audit all bills for services rendered or expenses incurred by sheriffs relating to insanity cases, and issue his warrant therefor upon the county treasurer. The treasurer is hereby authorized to pay the same out of the general fund of said county. An equitable amount shall be allowed by the board of county commissioners for services rendered by a sheriff, in serving and attempting to collect personal property tax warrants an appeal shall be allowed at the instance of five taxpayers of the county or by the county attorney, from any such allowance made by the board, to the district court of the proper county, and such court shall have jurisdiction to review in a summary manner, such action by the county board, and determine the amount equitable due.

For any services not herein enumerated, which a sheriff may be required to perform, he shall receive the fees herein allowed for similar services.

Services
not
enumerated.

SEC. 2. This act shall not be construed to repeal any act of the Legislature providing for or regulating the fees or salaries of sheriffs in counties having a population of fifty thousand (50,000) inhabitants or upwards. All acts or parts of acts inconsistent with this act applicable

Counties
of 50,000
or upwards
excepted.

to counties having a population of less than fifty thousand (50,000) inhabitants are hereby repealed.

SEC. 3. This act shall be in force and take effect from and after its passage.

Approved April 20, 1903.

S. F. No. 62.

Insurance.

CHAPTER 295.

R

An act to amend chapter 178 of the General Laws of 1901, entitled "an act to provide for the incorporation, reincorporation and regulation of life insurance companies on the stipulated premium plan."

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section seven (7) of chapter one hundred and seventy-eight (178) of the Laws of one thousand nine hundred and one (1901) be and the same hereby is amended to read as follows:

Corporate
power

Section 7. Corporate Power—A corporation organized or doing business under the provisions of this act shall, by the name adopted by such corporation in law, be capable of suing or being sued, and may have power to make and enforce contracts in relation to the business of such corporation, may have and use a common seal, and may change or alter the same at pleasure; in the name of the corporation, association or society, or by a trustee chosen by their board of directors, shall in law be capable of taking, purchasing, holding and disposing of real and personal property for carrying into effect the purposes of their organization, and may, by their board of directors, trustees or managers, make by-laws and amendments thereto not inconsistent with the constitution and laws of this state, or of the United States, which by-laws shall define the manner of electing directors, trustees or managers, and officers of such corporation, and the qualifications and duties of the same, with terms of office, and if a mutual company, the qualifications and privileges of the members and policy holders thereof. Any such corporation shall also have all the powers, rights, privileges, immunities and franchises conferred by this act, together with all implied powers necessary or convenient for the execution and exercise thereof and the ordinary and incidental powers of insurance corporations.

Provided, that no new or amended by-laws hereafter passed shall, in any manner, modify or change any existing contract, without the express consent of the insured in writing.

Existing
contracts.

SEC. 2. That section eleven (11) of said chapter be and the same is hereby amended to read as follows:

Section 11. Duty of State Treasurer to Receive and Safely Keep Securities—It shall be the duty of the state treasurer to receive all moneys, bonds and securities offered or tendered to him by any insurance company in accordance with the provisions of this act, or for the purpose specified herein; and said state treasurer shall have charge of and safely keep the same when delivered to him, and shall not redeliver the same, or any part thereof to the insurance company depositing them, except with the consent of the insurance commissioner and in accordance with the provisions of this act. Such state treasurer shall, upon the receipt by him of any moneys, bonds or securities from any insurance company, execute in duplicate a receipt stating in detail all moneys, bonds or securities then held by him or received by him from such company, and a minute description thereof. One copy of such receipt shall be delivered to the insurance commissioner and be by him filed, kept and retained in his office; the other copy of such receipt shall be delivered to the depositing company. All securities deposited with the state treasurer must be accompanied with a certificate of the president and secretary of the depositing company, certifying that all said bonds and securities fully comply with the requirements of section twenty-three of this act.

Duties of
state
treasurer.

SEC. 3. That section twenty-three (23) of said chapter be and the same is hereby amended to read as follows:

Section 23. Investment of Funds—Assignment of Policy to Secure Payment of Loan Made on Same—The capital stock, funds and accumulations of any insurance company organized or reorganized under the provisions of this act, shall be invested in bonds or treasury notes of the United States or state or national bank stock, or interest-bearing bonds of this state, or any other state of the United States, or of any city, town or county of this state, or any other state in the United States having legal authority to issue the same, or in any interest or dividend-paying stock or bonds issued under the laws of this state or any other state of the United States, or in mortgages

Investment
of funds.

or unincumbered improved real estate in this or any other state of the United States, worth at least twice the amount loaned thereon, exclusive of buildings, except when such buildings are insured and the policy duly assigned as additional security or loaned on pledges of any of the securities above named; provided always that the current market value of such pledged securities shall be, at all times during the continuance of such loans, at least twenty per cent more than the sum loaned on them, and all such loans are subject to the power of the company to terminate the same in case of the depreciation of the securities below said limit; and provided that in all investments made upon mortgaged securities the evidence of the debt shall accompany the mortgage or deed of trust. *Provided, further*, that none of the bonds, securities or investments above mentioned shall ever be bought, contracted for or received at a greater price than their known market value; nor shall any such bonds, securities or investments be contracted for, bought or received when any interest has been defaulted and is unpaid thereon. Any such company may also make loans upon its own policies, but in the computation of the value of the assets of such company a loan upon a policy of such company shall never be valued at more than an amount equal to the net reserve against such policy. Whenever a cash loan is hereafter made thereon the policy must in all cases, be assigned to, and held by the company as security.

Loans,
assignment.

SEC. 4. That section twenty-six (26) of said chapter be and the same is hereby amended to read as follows:

Reinsurance.

Section 26. Contracts for Reinsurance—Any corporation organized or doing business under this act may assume or reinsure the risks of any company, society or association engaged in the business of life insurance upon such terms as may be agreed upon by its board of directors, or a majority thereof, at a meeting regularly called and held. Any corporation organized or doing business under this act may transfer its risks to or reinsure them in any other corporation, association or society doing business on the stipulated premium or old line legal reserve plan; *provided*, that the contract of transfer or reinsurance shall have been first submitted to and approved by the insurance commission of the State of Minnesota by a two-third vote of the stockholders or members present and voting in person or by proxy at any regular meeting of such corporation, or at a special meet-

Approval.

ing thereof called to consider the same, of which special meeting a written or printed notice shall have been mailed to each stockholder or member at least thirty days before the day fixed for such meeting. No such corporation organized or doing business under this act shall transfer its risks or assets, or any part thereof, to or reinsure its risks, or any part thereof, in any insurance corporation, association or society of any other state or country which is not at the time of such transfer or reinsurance authorized to do business in this state under the laws thereof; *provided, however*, that the foregoing declaration shall not prevent a company from reinsuring any fractional part of any individual policy in other solvent companies authorized to do business in this state by paying therefor agreed premiums in annual, semi-annual or quarterly installments. In case of the reinsurance of mutual companies all the assets of the reinsured company shall be turned over to the reinsuring company. When any company doing business under this act is reinsured by a contract of reinsurance imposing a new lien upon any policy, there shall be given to each policy holder on whose policy the new lien is imposed, together with his certificate of reinsurance the notice set forth in section thirty-eight (38) hereof.

Foreign
companies.

Mutual
companies.

SEC. 5. That section thirty-eight (38) of said chapter be and the same is hereby amended to read as follows:

Section 38. Notice of annual meetings and other notices to be mailed policy holders therewith. There shall be held an annual meeting of the members or stockholders of any company organized or reorganized under the provisions of this act of which annual meeting the members or stockholders shall have notice at least thirty (30) days in advance, either by way of a written or printed notice, which may accompany other written or printed matter; and there shall be mailed a notice to every policy holder upon whose policy a lien is, or has been, imposed under this act, as soon as possible and within one year after the imposition of such lien, or in case such lien has been imposed prior to the passage of this act, then, within one year after the passage of this act. Said notice shall state: First, the amount of the lien imposed. Second, the rate of interest thereon. Third, the amount of premium and conditions on which the policy may be carried for its full face. Fourth, the amount of

Notices
of annual
meetings.

Other
notices.

premium exclusive of interest necessary under this act to carry the policy without further increase of lien.

SEC. 6. This act shall supersede all provisions of any existing law in conflict herewith.

SEC. 7. This act shall be in effect from and after the date of its passage.

Approved April 20, 1903.

S. F. No. 540.

CHAPTER 296.

R

Institutions
of public
charity.

An act to define and regulate beneficiary associations, corporations or societies; exempting the same and their buildings and assets from the operation of certain provisions of the laws of this state relating to taxes, insurance, garnishment, attachment or seizure, and declaring them to be institutions of public charity.

Be it enacted by the legislature of the State of Minnesota:

Beneficiary
associations
defined.

SECTION 1. That a beneficiary association under the provisions of this act is hereby declared to be any corporation, society or voluntary association, organized and carried on for the sole benefit of its members and their families, relatives, or dependents, but not for profit. Each association or society may make provision for the payment of benefits in case of death and may make provision for the payment of benefits in case of sickness, temporary or permanent physical disability as a result either of disease or accident, and may make provision for the payment of funeral expenses of a member, not to exceed seventy-five dollars (\$75.00) in any case, all of said benefits to be paid subject to the compliance by the members with the constitution and by-laws of such association or society. The funds from which the disbursements of such association or society shall be defrayed shall be derived from assessments and dues collected from its members. Payments of death benefits shall be to the families, heirs, blood relatives, adopted children, affianced husband or affianced wife of the member or to persons dependent upon the member. Any such beneficiary association or society may create, maintain, disburse and apply a reserve or emergency fund in accordance with its constitution or by-laws and every such association or society shall be deemed and held to be an institution of public charity. The term "beneficiary association" wherever used in this

Benefits.

Emergency
fund.

act, or in any other law of this state hereafter enacted, shall be construed to mean any association such as is defined in this section.

SEC. 2. The money or other benefit, charity, relief or aid to be paid, provided or rendered by any association authorized to do business under this act shall not be liable to attachment, garnishment or other process, and shall not be seized, taken, appropriated or applied by any legal or equitable process or by operation of law to pay any debt or liability of a certificate holder or of any beneficiary named in any certificate or any person who may have any right thereunder. And the buildings and other property used by said association in carrying on its business, and all dues, assessments and other payments and the accumulations thereof, held and possessed by said association for the payment of death, sick or disability benefits, and the reserve, emergency and other mortuary funds of said association, shall be exempt from taxation for state, county and municipal purposes. *Provided*, that nothing in this act shall be construed to exempt from taxation any real estate owned by any association incorporated or doing business under the provisions of this act, except such as is occupied exclusively by such association in carrying on its business.

Not
liable to
attachment
or other
process.

Exempt
from
taxation.

Must be
used ex-
clusively in
carrying
on business.

SEC. 3. This act shall apply to and govern any and all associations, corporations and societies heretofore organized or authorized to do business in this state and now or hereafter operating upon a plan in accordance with the provisions of this act, but this act shall not be construed to affect fraternal beneficiary associations having a lodge system with ritualistic form of work and representative form of government.

Does not
affect ben-
eficiary as-
sociations
having
lodge
systems.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

CHAPTER 297.

S. F. No. 426.

An act to authorize certain officials to prevent the suffering of animals by exposure to inclement weather.

To prevent
suffering of
animals.

Be it enacted by the legislature of the State of Minnesota.

SECTION 1. Every sheriff, constable, village marshal and police officer are hereby authorized to enter into and

Officers
authorized
to act.

Lien on
animal.

Officer
not liable
to damages,
if exercising
reasonable
care.

Owner to
have notice.

Estray.

upon any place, or to remove from the public highway or streets any horse, mule or other animal which is exposed to the weather and not properly blanketed or continues without attention for more than two successive hours in cold or inclement weather, and take possession of said horse, mule or other animal and remove the same and supply the same with the necessary shelter and attention; and the person or persons supplying such horse, mule or other animal with necessary shelter and attention shall have a lien against said horse, mule or other animal for the value of such shelter and attention, including food and water, while being cared for as herein provided, and any such sheriff, constable village marshal or police officer shall not be held liable in damages in taking or removing of a horse, mule or other animal as hereinbefore provided, so long as he exercises reasonable care in doing so. Any such officer is authorized to deliver any such horse, mule or other animal to the custody and possession of any other person or persons whom he may select to provide for the same, and in all cases, the owner or custodian of such horse, mule or other animal, if known, shall be immediately notified of such action by the person taking possession of such animal, and the expenses of giving such notice shall be a charge against said horse, mule or other animal and collected the same as the expense incident to providing for such horse, mule or other animal; or if the owner or custodian be unknown, and cannot with reasonable effort, be ascertained; and if such owner or custodian shall not, within five days after notice of such action, redeem such horse, mule or other animal by paying all the expenses incurred by such action, and thereafter supply such horse, mule or other animal with necessary protection from inclement weather, shelter and proper attention, such horse, mule or other animal shall be held to be an estray and shall be dealt with as such.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

CHAPTER 298. *R*

S. F. No. 404

*An act to provide for the aid of non-resident paupers.*Non-resident
paupers.

Be it enacted by the legislature of the State of Minnesota:

SECTION 1. Whenever any person not having a legal settlement therein shall be taken sick, lame or otherwise disabled, or for any other cause shall be in need of relief as a poor person, and shall have no money or property with which to pay his board, maintenance, attendance and medical aid, in any town, city or village, in any county of this state which has adopted the town system of caring for the poor, the supervisors or other proper authorities shall provide such assistance to such person as they may deem just and necessary, and if he shall die they shall give him a decent burial. They shall make such allowance for such board, maintenance, nursing, medical aid and burial expenses as they shall deem just and order the same paid out of the town, city or village treasury. The expenses so incurred shall, if reasonable evidence is presented showing such charge to be a valid one under the provisions of this act, be a charge against the county in which such person is found. The account thereof shall be audited by the county board and paid out of the county treasury, and the amount so paid may be recovered by the county in an action against the county, or in the counties where the town system of caring for the poor has been adopted, against the town, city or village, in which such person so relieved has a legal settlement. It shall be the duty of the authorities within five days after such person so becomes a public charge within their town, city or village, to notify the county auditor and also the county commissioners of the district in which such needy person is found, of such fact, and thereupon the county authorities may take charge of such poor person and remove him to the county poor farm or relieve him in such other manner as they may see fit.

03 c 298 § 1
111-NW 651Supervisor,
or other
proper officer
to provide.

Expenses.

Charge
against
county.Against
town,
city, or
village.County
auditor
and com-
missioner
to be
notified.

SEC. 2. Chapter 251 of the General Laws of Minnesota of the year 1901 is hereby repealed.

Ch. 251,
1901, repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

H. F. No. 154.

CHAPTER 299. *R*

Vaccination.

An act to prevent compulsory vaccination and to prevent vaccination being made a condition precedent to the school attendance.

Be it enacted by the legislature of the State of Minnesota:

Not a
condition
precedent
to admission
to school.

Smallpox
epidemic.

May be
exempted.

SECTION 1. That hereafter it shall be unlawful for any board of health, board of education or any other public board or officer, acting in this state under police regulations or otherwise, or under any general law or city charter however adopted, to compel or require, by resolution, order, ordinance or procedure of any kind, the vaccination of any child, or to make vaccination a condition precedent to the attendance at any school in the State of Minnesota, or to exclude any child or other person from attendance on any school in this state on account of the fact that such child or other person shall not have been vaccinated. Except in cases of epidemic of smallpox such boards of health and boards of education may, by joint action, require such vaccination by a duly licensed and practicing physician, to be selected by the person to be vaccinated; *provided*, that any child may be exempted from the provisions of this act where a reputable physician certifies in writing that on account of said child's physical condition such vaccination would be dangerous to the health of said child.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

H. F. No. 744.

CHAPTER 300. *R*

Incorporation.

An act to regulate the publication of articles of incorporation.

Be it enacted by the legislature of the State of Minnesota:

Publication
of articles.

SECTION 1. Before any corporation organized under titles one (1) or two (2) of chapter thirty-four (34) of the General Statutes of Minnesota for 1894 or any amendment thereof shall commence business, the articles of the corporations so organized shall be published at length in a legal newspaper published at the capitol of

the state or in the county where such corporation is organized. If publication be made in a daily newspaper two publications on successive days shall be a sufficient publication. If the publication be made in a weekly newspaper, publication for two successive weeks therein shall be a sufficient publication. Upon filing an affidavit of proof of such publication in the office of the secretary of state, persons named in such articles shall thereupon become a corporation with the authority and powers in this chapter granted.

SEC. 2. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

CHAPTER 301.

R

H. F. No. 511.

An act to provide for the construction, equipment and regulation of hotels, inns and public lodging houses.

Hotels,
inns and
public
lodging
houses.

Be it enacted by the legislature of the State of Minnesota:

SECTION 1. Any building or structure kept, used or maintained, or advertised, or held out to the public to be an inn, hotel, public lodging house or place where sleeping accommodations are furnished to the public, whether with or without meals, shall have and be provided with more than one way of egress from each story or floor leading directly to the ground, and such ways of egress must at all times be kept free and clear of any obstruction and in good repair and ready and suitable for immediate use.

Provided
with more
than one
egress
from each
floor.

SEC. 2. Each outside bedroom or sleeping apartment on any other than the ground floor of any building or structure kept, used or maintained as, or advertised, or held out to the public to be, an inn, hotel, public lodging house, or place where sleeping accommodations are furnished to the public, whether with or without meals, shall be supplied with, and there shall be kept at all times in plain sight in each such bedroom or sleeping apartment, and securely attached therein and thereto, a hempen rope of not less than three-eighths of an inch in diameter, of sufficient length to reach therefrom to the ground, and of

Bedroom
provided
with a
rope.

sufficient strength to sustain a weight and strain of at least five hundred pounds.

Not subject
to provisions
of sec. 2.

SEC. 3. Any building or structure kept, used or maintained, or advertised, or held out to the public to be, an inn, hotel, public lodging house, or place where sleeping accommodations are furnished to the public, whether with or without meals, while supplied and equipped with proper and suitable metal fire escapes at and on two ends or two sides, or one end and one side, shall not be subject to the provisions of section two (2) of this act.

Misdemeanor.

SEC. 4. Any person owning, keeping, maintaining, controlling, or managing, any building or structure kept, used or maintained as, or advertised or held out to the public to be, an inn, hotel, public lodging house, or place where sleeping accommodations are furnished to the public, whether with or without meals, which is not constructed, regulated and equipped according to the provisions of this act shall be guilty of a misdemeanor, and upon conviction be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or in default of payment thereof may be imprisoned for a period of not less than thirty nor more than ninety days.

Penalty.

Not entitled
to lien
on property
of guest.

SEC. 5. No innkeeper, hotelkeeper, or public lodging or boarding house keeper, or manager, or other person who owns, keeps, controls, maintains or manages any building or structure kept, used or maintained as, or advertised, or held out to the public to be, an inn, hotel, public lodging house or place where sleeping accommodations are furnished to the public, whether with or without meals, which is not constructed, regulated and equipped in accordance with the provisions of this act, shall be entitled to any lien upon any of the property or effects of or belonging to, or in the possession of any of his guests, lodgers or boarders, in any manner or form whatsoever.

Not entitled
to maintain
action to
recover for
board, etc.

SEC. 6. No innkeeper, hotelkeeper or public lodging or boarding house keeper, or manager, or other person, who owns, keeps, controls, maintains or manages any building or structure kept, used or maintained as, or advertised, or held out to the public to be, an inn, hotel, public lodging house, or place where sleeping accommodations are furnished to the public, whether with or without meals, which is not constructed, regulated and equipped according to the provisions of this act, shall be

entitled to maintain any action to recover for any board, lodging or accommodations furnished by him.

SEC. 7. That none of the provisions of this act shall apply with the territorial limits of any city, village, township or other municipality in this state having a population of less than ten thousand inhabitants.

Not applicable to municipalities of less than 10,000.

SEC. 8. This act shall take effect and be in force from and after September 1, 1903.

Approved April 20, 1903.

CHAPTER 302.

R

H. F. No. 741.

An act to provide for the vacation and relocation of public roads and highways on mineral lands.

Roads and highways.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. In all cases where a public road or highway, however established, crosses land containing iron ore, and the owner or lessee of such land desires, and is about to mine the ore in said land in such manner as to remove the supports of said public road or highway, such owner or lessee may at his sole expense change the location of such public road or highway to other land, making the same, when so relocated, suitable for public travel; if in such case the owner or lessee cannot acquire upon just and reasonable terms land upon which to relocate said public road or highway, it shall be the duty of the county commissioners of the county in which the land is located, where such road is a county road, and of the supervisors of the town in which the land is located, in case said road or highway is not a county road, and the village or city council where said road or highway is located within the limits of any incorporated village or city, on application of the said owner or lessee, to make such change of location of said public road or highway, and for that purpose they may proceed to lay out and open such highway upon such changed location, and to that end may institute all necessary proceedings to acquire land for such purposes in like manner as proceedings may be instituted for the acquisition of land for the opening or laying out of public roads or highways; and the performance of the said duty by the said county commissioners in the case of a county road, by the said town supervisors in the case of a town road,

Vacation and relocation over land containing iron ore.

and of the village or city council in case of a road or highway within the limits of an incorporated village or city, may be enforced by the district court in and for the county and district where said land is situated.

Public
road not
established
or author-
ities desire
to establish
road.

SEC. 2. In all cases of the use by the public of a road or highway which has not been duly established as a public highway, or where the town supervisors of any town, or the village or city council of any village or city, or the county commissioners of any county, desire to provide for the establishment of a road, street or highway for the public, and the land crossed by such road, street or highway contains iron ore, the said town supervisors or the said village or city council, or the said county commissioners, may agree with the owner or lessee of the land whereon it is proposed to locate said road, street or highway, that in case said owner or lessee shall consent or acquiesce in the use of the same as a road, street or highway for the public, the location of such road, street or highway shall be changed at any time when the said owner or lessee of the land shall request such change in case he desires, and is about to mine or remove the ore in said land in such manner as to remove the supports of such road, street or highway.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

H. F. No. 601.

CHAPTER 303.

R

Cities of
over 50,000.

An act to authorize and empower the city council or common council of cities in this state of over 50,000 inhabitants to issue and sell municipal bonds for the purpose of extending the water works system of such cities.

Be it enacted by the Legislature of the State of Minnesota:

Authorized
to issue
bonds.

SECTION 1. The city council or common council of each city in this state now or hereafter having over 50,000 inhabitants, in addition to all the rights and powers heretofore granted thereto by law, is hereby authorized and empowered, for the purposes herein designated, to issue from time to time as needed the negotiable bonds of their

respective cities to an amount in the aggregate not to exceed \$100,000, said bonds to be made in such denominations and payable at such places and at such times, not to exceed thirty years from the date thereof, as may be deemed best, and to bear interest at a rate not to exceed $3\frac{1}{2}$ per cent per annum, payable semi-annually, and to have interest coupons attached, payable at such place or places as shall be designated therein; and said city council or common council, as the case may be, is further authorized to negotiate and sell such bonds from time to time to the highest bidder or bidders therefor, and upon the best terms that can be obtained for said bonds. *Provided*, that no such bonds shall be sold for a less amount than the par value thereof and accrued interest thereon; and, *provided further*, that said bonds shall not be issued until the issuance thereof is authorized by a resolution or ordinance duly passed by a five-sixths vote of all the members of the city council or common council of the city proposing to issue the same; and, *provided further*, that no bonds shall be issued under the provisions of this act after the expiration of six months from the time of the approval of this act.

SEC. 2. Nothing herein contained shall authorize the issue at any time of the bonds of any such city to such an amount that the whole amount of the principal of the bonds actually issued by said city and still outstanding, together with the proposed issue, less the amount of the funds and bonds of such city which shall be in and constitute a part of the sinking fund of such city for the payment of bonds, shall exceed ten per cent of the assessed valuation of the taxable property of such city, as shown by the last preceding assessment.

Limit of
bond issue.

SEC. 3. All bonds issued under authority of this act shall be sealed with the seal of the city issuing them and signed by the mayor and attested by the clerk or recorder, and countersigned by the city comptroller or corresponding officer, if such officer exists in such city. The proceeds of any and all bonds issued and sold under authority of this act shall be placed in the city treasury of the city issuing the same, and shall be used only for the purposes of extending the water works system of such city by the construction of water mains to serve and accommodate the inhabitants thereof; and the proceeds of such bonds or any thereof shall not be used for any other purposes than those hereinbefore specified.

For extensions of
water
works
system.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

H. F. No. 756.

CHAPTER 304.

Cities of
50,000.

An act entitled an act to authorize the issuance of bonds by cities now or hereafter having a population of over fifty thousand inhabitants.

Be it enacted by the Legislature of the State of Minnesota:

Authorized
to issue
bonds for
purposes
of refunding
outstanding
or matur-
ing bonds,
and certain
improve-
ments.

SECTION 1. Any city of this state now or hereafter having a population of over fifty thousand inhabitants, is hereby authorized and empowered, acting by and through the common council of such city, by ordinance duly enacted, by an affirmative vote of not less than three-fourths of all members elect of such common councils, to issue the bonds of such city, for the following purposes, viz:

(1) In any amount for the purpose of refunding outstanding or maturing bonds.

(2) For the purpose of defraying the cost of construction of bridges and public school buildings and other buildings for municipal purposes, and to aid in the construction of main sewers; *provided*, that the amount of bonds issued under this paragraph (2) shall not exceed in the aggregate \$600,000.00 par value and not to exceed \$200,000 of said sum shall be issued in any one year.

Tax
levy.

SEC. 2. Every city issuing any bonds under authority of this act is hereby required to levy each year thereafter a tax of at least one-half mill on the dollar of all taxable property for the purpose of creating a sinking fund to pay the bonds of such city as they mature, whether such bonds be issued under the authority of this act, or otherwise, until the entire bonded indebtedness of such city shall be extinguished, and such sinking fund shall not be diverted or used for any other purpose.

Limitations.

SEC. 3. Bonds shall not be issued hereunder by any city for any sum in excess of three-fourths of the actual cost of any such bridge, building, or main sewer, and at least one-fourth of the cost of any thereof shall be included in and paid from the current annual tax levy next made, or from funds in the city treasury not otherwise appropriated.

SEC. 4. No ordinance authorizing the issuance of any

bonds under this act shall be passed until the same shall have been before the common council at least ten days in the exact form in which it passes, nor until the same shall have been published in the form in which it shall pass, at least three times in the official paper of such city, the last publication to occur not less than five days previous to the meetings of the council appointed to take action upon the same, and such publication shall contain, immediately following the proposed ordinance, a notice signed by the city clerk stating when such ordinance will be presented to the common council for passage.

Publication.

SEC. 5. No bonds shall be issued by any such city for the purposes hereinabove mentioned to run for a longer term than thirty (30) years, nor bearing a higher rate of interest than five (5) per cent per annum; but the place of payment of the principal and interest thereof, and the denomination in which the same shall be issued shall be such as may be determined upon by the common council, and may be in the form of coupon bonds or registered certificates, so called; all such bonds shall, however, be signed by the mayor, attested by the city clerk and countersigned by the comptroller of such city, and shall be sealed with the seal of such city, except that the signatures to the coupons attached to such bonds, if any, may be printed or lithographed thereon, and none of them shall be sold at less than their par value and accrued interest, and then only to the highest responsible bidder therefor.

Bonds to run for not more than 30 years, and not bear more than 5 per cent.

SEC. 6. The full faith and credit of any such city shall be pledged at all times for the payment of any bonds issued under this act, and of any obligations thereafter issued by it under any other act or authority at any time in anticipation of the collection of taxes levied by such city.

Faith and credit of city pledged.

SEC. 7. No bonds shall be issued by any such city under this act when its total indebtedness, inclusive of the bonds issued for its permanent improvement revolving fund, water works, lighting plant or other income bearing municipal service institution shall have reached an amount equal to ten (10) per cent of the assessed valuation of all taxable property within its corporate limits, but bonds hereunder as above provided may be issued up to ten per cent of the assessed valuation, but not beyond, provided that no more than \$600,000.00 par value shall be issued under paragraph (2) of section one of this act

Total indebtedness of city not to exceed 10 per cent of assessed valuation.

in any event, or any amount for any other purpose except refunding bonds, as provided in paragraph (1) of section one hereof.

SEC. 8. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

H. F. No. 824.

CHAPTER 305.

Legalizing
newspapers
in certain
cases.

An act to legalize newspapers in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. No newspaper in this state, which has been published weekly on regular days of publication for the last ten years, and which conforms in all respects to the statutes defining a legal newspaper, shall be deprived of its standing as such legal newspaper, for the reason that during two certain consecutive weeks in the year 1902 the said newspaper was not published. But such newspaper shall hereafter be deemed to be a legal newspaper, notwithstanding the fact that it was not published during the said two certain consecutive weeks.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 20, 1903.

S. F. No. 581.

CHAPTER 306.

Cities of
over 50,000.

An act to amend section 1 (H. F. No. 254) of "An act to authorize and empower the city council or common council of cities in this state of over 50,000 inhabitants to issue and sell municipal bonds and to use the proceeds thereof for defraying the cost of making certain local improvements in advance of the collection of the special assessment levied therefor, and to provide for ascertaining, reporting and supplying any impairment or depletion of the fund into which the proceeds of said bonds come," approved March 3, 1903.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 1 of said act be amended in the following particulars:

1st—By striking out the words "not to exceed ten years from the date thereof," where the same appear in said section 1 immediately following the words "at such times," and insert in lieu thereof the following words, "not to exceed thirty years from the date thereof."

Amends by striking out certain words, and inserting in lieu thereof.

2nd—By striking out the words, "and to bear interest at a rate not to exceed three and one-half (3½) per cent per annum," where the same appear in said section 1 immediately following the words, "as may be deemed best," and insert in lieu thereof the following words, "and to bear interest at a rate not to exceed four (4) per cent per annum."

3rd—By striking out from said section 1 the following words, "and no bonds shall be issued under the provisions of this act after six months from the date of its passage," where the same appear at the end of said section 1.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 307.

S. F. No. 579.

An act fixing the regular terms of the district court in the Fourteenth judicial district.

Terms of court in 14th dist.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The regular terms of the district court in the following organized counties, constituting the Fourteenth judicial district, shall be held as follows:

In Polk county on the first Tuesday of June and on the first Tuesday of December of each year. Polk.

In Marshall county on the second Tuesday of November in the year one thousand nine hundred and three (1903), and thereafter on the fourth Tuesday of June and on the second Tuesday of November of each year. Marshall.

In Norman county on the second Monday of July and on the fourth Monday of November of each year. Norman.

In Kittson county on the second Monday of December in the year one thousand nine hundred and three (1903), and thereafter on the second Monday of June and the second Monday of December of each year. Kittson.

In Red Lake county on the fourth Monday of March and on the fourth Monday of October of each year. Red Lake.

Rosseau.

In Rosseau county on the fourth Monday of January and on the fourth Monday of July of each year.

SEC. 2. All writs, processes, bonds, recognizances, continuances, appeals, notices and proceedings had, made, issued or returnable to the district court aforesaid in said counties, or any of them, as fixed by law prior to taking effect of this act, shall be and the same are hereby made returnable to the terms of said court as the same are prescribed by the provisions of this act.

SEC. 3. All acts or parts of acts inconsistent with this act, prescribing any other time for holding any of the general terms of said court are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 316.

CHAPTER 308.

R

State
Institutions.

An act authorizing the state board of control, the governor and state land commissioner to compromise and settle matters of dispute concerning damage to, or affecting the title, possession or other interest in or to, lands of certain institutions subject to the control of said board of control, and to carry out such compromise and settlement.

Be it enacted by the Legislature of the State of Minnesota:

Disputes
as to
land titles.

SECTION 1. That in any case where there is now, or shall hereafter arise, a dispute between any person or corporation and the state board of control on account of the claim by any such person or corporation of a right to the title, possession, easement or other interest in or to any of the lands of the State of Minnesota, upon which is located, or which are used in connection with any institution under the control of said board, or on account of a claim by or in favor of the State of Minnesota against any person or corporation for damages, past, present or prospective, by reason of injuries to any such lands, and whenever in any such case it shall be deemed by said state board of control to be for the best interest of the State of Minnesota and of the institution whose land is so affected, to compromise and settle such dispute and claim, then and in any such case the said state board of control, with the approval of the governor and state auditor as land

Board of
control
authorized
to settle.

commissioner, may make an agreement with such person or corporation to compromise and settle such claim upon such terms as they shall deem proper; and in accordance with such agreement of compromise and settlement, and for the purpose of carrying out the same, said board of control may in any such case, and they are hereby authorized, in the name of the State of Minnesota and by and with the signature of the members of said state board of control, to execute and deliver any and all such releases, agreements, writings, or conveyances as shall be proper and necessary in order to carry out such compromise and settlement, and to receive such consideration therefor as required by the terms of such agreement of compromise and settlement.

SEC. 2. All money received by said state board of control as a consideration for such compromise shall be turned over and paid to the state treasurer to the credit of the general revenue fund.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 309.

S. F. No. 543.

An act legalizing certain school district bonds heretofore voted to be issued and sold.

Legalizing
certain
school dis-
trict bonds.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any and all bonds heretofore voted to be issued by the board of education of any independent or special school district, or by the board of trustees of any common school district in this state for the purpose of paying the cost, in whole or in part, of a schoolhouse, or schoolhouses, in actual process of construction within any such district or districts, which bonds have heretofore been sold by any such board or trustees, are hereby declared to be the valid and binding obligations of any such school district.

Provided, only, that said bonds were duly voted to be issued by the unanimous vote of the board of education or board of trustees of any such district; that said bonds are not to run for a longer term of years, nor to draw a higher rate of interest than is by law allowed; that they are sold for not less than their par value, and that the total in-

Indebtedness
must not
exceed
limit.

Actions
pending.

debtedness of any such district, including any such issue of bonds, does not exceed in amount the indebtedness now authorized by law; *provided, further*, that the provisions of this act shall not apply to any action or proceeding now pending in any court of this state relative to the legality of the bonds so issued.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 448.

CHAPTER 310.

Cities of
over 50,000
in certain
cases.

An act to fix salaries of certain elective officers in cities now or hereafter having over fifty-thousand (50,000) inhabitants "and not including cities now or hereafter governed under a charter adopted under and pursuant to section 36, article 4 of the constitution of this state, as amended, and chapter 351 of the General Laws of 1899 and amendments thereto."

Be it enacted by the Legislature of the State of Minnesota:

Salary of
mayor.

Alderman.

Exceptions.

SECTION 1. That in cities now or hereafter having over fifty thousand (50,000) inhabitants, the salary of the mayor shall be four thousand dollars (\$4,000) per annum, and the salary of each alderman shall be eight hundred dollars (\$800) per annum, payable pro rata monthly out of the city treasury. *"Provided, that this act shall not include or apply to cities now or hereafter governed under a charter adopted under and pursuant to section 36, article 4 of the constitution of this state, as amended, and chapter 351 of the General Laws of 1899 and amendments thereto."*

SEC. 2. All acts or parts of acts, whether general or special, inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after January 1st, 1904.

Approved April 21, 1903.

CHAPTER 311. 19

S. F. No. 403.

An act to amend section 21 of chapter 258 of the General Laws of 1901, as amended by section 13 of chapter 38 of the General Laws of 1902, providing for the drainage of lands in certain cases, prescribing the powers and duties of county commissioners and other officers in the premises, and appropriating funds for the payment of assessments against state lands affected thereby, and prescribing penalties for the violation thereof, and repealing certain acts therein mentioned and referred to.

Drainage.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 21 of chapter 258 of the General Laws of 1901, as amended by section 13 of chapter 38 of the General Laws of 1902, be amended so as to read as follows:

Payment of liens.

Section 21. The payment of such liens shall be made to the treasurer of such county, as follows, viz.: One-tenth of said principal, with the interest thereon, on or before one (1) year from such filing in the register of deeds office, one-tenth of the same on or before two (2) years; one-tenth of the same on or before three (3) years; one-tenth on or before four (4) years; one-tenth of the same on or before five (5) years; one-tenth of the same on or before six (6) years; one-tenth of the same on or before seven (7) years; one-tenth of the same on or before eight (8) years; one-tenth of the same on or before nine (9) years; one-tenth of the same on or before ten (10) years. All reckoned from the date of such filing; *provided*, where the annual instalment to be assessed amounts to less than one mill per year, the auditor shall levy the amount of one mill per year for as many years as is necessary at that rate to pay the full lien levied against the tract or parcel of land. On or before the fifteenth day of November next following such filing the auditor shall enter on the tax list of said county the amount of such lien then remaining unpaid against each respective tract of land subject thereto, as a tax on said tracts, with a proper notation to secure the successive entry each year thereafter of the unpaid balance of such lien. One-tenth of such tax shall become due and payable, with accumulated interest thereon, at the time and in the manner and be subject to and be collected with like penalties

Where installment to be assessed amounts to less than one mill.

Tax levy.

Discharge
of lien.

as all other taxes for said year on said tracts in which such entry was made, and another one-tenth with and as the taxes of each successive year, until all is paid. When the full amount of such lien, with accumulated interest, shall thus or at one time be made, the auditor, upon presentation of a receipt from the treasurer to that effect, shall issue under his hand and official seal a certificate of such payment, and the same, when recorded in the office of the register of deeds, shall release and discharge such lien of record.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 495,

CHAPTER 312.

Cities of
10,000 and
less.

An act authorizing cities having a population of 10,000 or less to establish and maintain a general system of sewers, and to maintain, alter, relay and extend any existing system of sewers, and to provide for the cost thereof, and to create sewer districts within the limits of such cities.

Be it enacted by the Legislature of the State of Minnesota:

Authorized
to main-
tain and
extend
sewer
system.

SECTION 1. In any city of this state having a population of ten thousand or less the city council shall have power to maintain and extend any existing sewer system, to relay, alter or extend any existing sewer and to establish and maintain a general system of sewers, and to create sewer districts, and change, diminish or enlarge the boundaries thereof from time to time.

General,
district,
joint-
district and
lateral.

SEC. 2. The city council may at any time establish a general sewer system, and may classify sewers as general, district, joint-district and lateral. General sewers shall be the designation of such large sewers as shall be common to the entire city or used as outlets for district or joint district sewers, and shall not include those which may or shall be constructed for the immediate draining of any particular district. District sewers shall be the designation of all main sewers laid for the immediate draining of a particular sewer district. Joint district sewers shall be the designation of such large sewers as may be laid through or be used jointly by two or more sewer districts between a district sewer and a general sewer or independently of general sewers, and for all purposes of construc-

tion, maintenance, repairing and taxation or providing for the cost therefor, shall be treated as though in a single district. Lateral sewers shall be the designation of all sewers of whatever size, capacity or length, which may be constructed to drain any portion of a sewer district directly into any district, joint district or general sewer. Sewer districts shall be wherever practicable laid out to include any particular portion of the city which may be drained entirely by itself, or which may be first drained by itself and then through connection with a general sewer.

SEC. 3. All general, district and joint district sewers shall be laid, when practicable, in public grounds, streets or alleys. Whenever it shall be necessary in the judgment of the city council to lay and maintain any general, district, joint district, or lateral sewer in or through other than public lands, the city may acquire the right thereto by purchase, or by condemnation under the right of eminent domain.

To be laid
in public
grounds.

SEC. 4. No action shall be taken for the extension of any existing sewer nor for the construction of an entire or partial system, except upon the adoption of an ordinance or resolution by a majority vote of all the members of the city council. The creation of sewer districts and the alteration of boundaries thereof shall be by ordinance, and the council may at all times cause inspections, surveys, plans and profiles, to be made by the city engineer, or other competent engineer to be selected by the city council, and reported to the city council for its guidance in determining the form and extent of any sewer district to be created, enlarged, or diminished; and such sewer districts shall be consecutively numbered.

Purchase
or condemn
private.
By
ordinance.

Duty of
engineer.

SEC. 5. The cost of constructing a general sewer shall be paid out of the sewer fund, if any, or, if there is no sufficient sewer fund, then out of the general revenue fund of the city.

Payment
for general
sewer.

The cost of constructing every district sewer may be assessed against all the land in the sewer district subject to assessment for local improvements, without regard to cash valuation, and each lot, piece or parcel of land in the district so subjected to assessment shall be assessed in the ratio of the square feet area to the total assessable area of the whole sewer district.

District.

The cost of constructing every joint district sewer may be assessed against all the land in the two or more sewer

Joint
district.

districts which it drains, and for that purpose all of the districts so drained by any joint district sewer shall be treated as one district, and the same plan, method and means employed as in assessing for the cost of a district sewer.

Lateral
sewers.

The entire cost of constructing all lateral sewers may be assessed against every lot, piece or parcel of land abutting thereon, subject to assessment for local improvements, at an equal sum per front foot without regard to cash valuation.

Estimated
cost by
engineer.

SEC. 6. Whenever the city council shall determine by ordinance or resolution to alter, repair, relay or extend any existing sewer, or to construct any new sewer, the cost thereof shall be estimated by the city engineer or some other competent engineer to be selected by the city council, who shall draw plans and specifications and tabulate the results of his estimate of the cost, and report the same to the city council; and such plans and specifications shall be filed with the city clerk or recorder before any proposals for bids for work thereunder shall be advertised, and shall remain on file, open to the inspection of all persons until after the contract for such work shall be let and copies of such plans and specifications shall be furnished by the engineer who shall prepare the originals, to any person applying therefor, at a cost of seventy-five cents per hour for the time necessarily employed in making such copies.

Advertise
for bids.

SEC. 7. The city council shall then cause proposals for bids for such work to be advertised in the official paper of the city, and in a newspaper at the capital of the state, at least once in each week for three successive weeks, which advertisement shall specify the work to be done and shall call for bids upon a basis of cash payment for the work, and shall state the time within which bids will be received and the exact time at which the same will be opened for consideration by the city council. No bid shall be considered unless the same shall be accompanied by a cash deposit or duly certified check, payable to the order of the city treasurer for at least fifteen per cent of the amount bid, and be directed to the city clerk or recorder, securely sealed, so as to prevent its being opened without detection, and be indorsed upon the outside wrapper with a brief statement or summary as to the work for which the bid is made. In letting contracts for any such work it shall be the duty of the city council to require the execution of a written contract and a bond in such sum as the city council

Cash
deposit or
certified
check
with bid.

Contract
and bond.

may require, conditioned for the faithful performance of the contract and for saving the city harmless from any and all liability in the prosecution and completing of the work. The city council, if a contract is awarded, shall award the same to the lowest responsible bidder. If any bidder to whom such contract is awarded shall fail to enter promptly into such written contract and to furnish such bond, then such defaulting bidder shall forfeit to the city the amount of his cash deposit or certified check, and the city council may thereupon award the contract to the next lowest responsible bidder; *provided*, the city council shall have the right to reject all bids, and *provided, further*, that whenever the estimates made for the city council for the entire work projected shall be less than five hundred dollars, then the city council may directly purchase the materials therefor and cause the work to be done by day labor. Every contract awarded under this act shall be made between the city as one party, in the name of the city, and the successful bidder as the other party, and such contract shall be executed on the part of the city by the mayor thereof and countersigned by the city clerk or recorder with the corporate seal of the city affixed, and an attested copy thereof shall be filed and remain in the office of the city clerk or recorder.

Lowest bidder.

May reject bids.

Day labor.

In every contract executed under this act, whether or not so stated therein, there shall be reserved the right of the city council to have the work supervised by the city engineer or other person, and in case of improper construction or unreasonable delay in the prosecution of the work by a contractor, to order and cause suspension of the work at any time and to relet the contract therefor or to order a reconstruction of any portion of the work improperly done, or, where the remaining work to be done or the work of reconstruction to be made shall call for an expenditure of less than five hundred dollars to complete the work or reconstruction by the employment of day labor.

Supervision of work.

SEC. 8. In case the contractor to whom any such contract may be let shall properly perform the work therein designated, the city council may, from time to time, before the completion of the work, in its discretion, pay to such contractor eighty (80) per cent of the amount already earned thereunder upon the estimate of the city engineer or other competent engineer selected by the city council.

Payment on estimates.

SEC. 9. Whenever any work or improvement pro-

Assessment
against
property
affected.

vided for by this act shall have been determined upon and a contract let therefor, the city engineer, or other competent engineer selected by the city council, shall forthwith calculate the proper amount to be specially assessed for such district, joint district and lateral sewers against every assessable lot, piece or parcel of land within the sewer district affected, without regard to cash valuation, in accordance with the provisions of section 5 of this act.

Not in
excess of
cost of
18-inch
sewer.

Provided, that no property shall be specially assessed for the cost of a sewer in excess of the cost of a sewer eighteen inches in diameter, and that whenever any district, joint district or lateral sewer of larger diameter than eighteen (18) inches shall be laid or relaid the cost thereof in excess of the estimated cost of a like sewer eighteen (18) inches in diameter shall be paid out of the sewer fund, if any, or in case there is no sufficient sewer fund, then out of the general revenue fund of the city.

To be paid
by special
assessment.

Provided, further, that in calculating the special assessment for any district sewer or joint district sewer, the cost of laying or relaying such sewer in any public ground, street or alley, and all catch basins manholes, lamp holes and flushing valves and tanks, shall be taken as part of such district sewer or joint district sewer, and to be paid for by such special assessment.

Permission
granted
private
owners.

And provided, further, that private owners may lay, relay or extend any lateral sewer through any public ground, street or alley and connect the same with any general, district or joint district sewer, upon permission granted by a majority vote of the city council, and that any private owner alone, or two or more owners, jointly, may lay, relay or extend lateral sewers through private ground pursuant to rights acquired therefor by agreement or purchase from any private owner or owners. In the event that any private owner shall alone or jointly with others, lay, relay or extend any such lateral through public ground, street or alley, or through private ground, the city shall not be or become in any way or in any respect liable for any act or negligence involved therein.

City not
liable.

Proposed
assessment.

When such engineer shall have finished his calculation of the amount to be specially assessed, as aforesaid, against each lot, piece or parcel of land in the sewer district affected he shall at once prepare and file with the city clerk or recorder tabulated statements, in duplicate, showing the proper description of each and every lot, piece or parcel of land to be specially assessed and the amount he

has calculated against the same, and such statement shall be the basis of the assessment and be known as the proposed assessment to be made by the city council as hereinafter prescribed, and shall be laid before the city council for its approval at its next regular meeting to be held not less than ten (10) days thereafter. The city clerk or recorder shall thereupon cause notice of the time and place when and where the city council will meet in regular session, to pass upon such proposed assessment, to be published in the official paper of the city at least ten (10) days prior to such meeting of the city council.

Notice by publication.

During all the time between the filing of such proposed assessment with the city clerk or recorder and such meeting of the city council, such proposed assessment shall be open to inspection and copying by all persons interested.

Open to inspection.

At such meeting of the city council, all persons aggrieved by such proposed assessment may appear before the city council and present their reasons why such proposed assessment or any particular item thereof should not be adopted, and the city council shall hear and pass upon all objections thereto, if any, and may alter or affirm and adopt such proposed assessment as shall be deemed just in the premises, and upon the adoption by resolution of such proposed assessment the same shall be certified by the city clerk and filed in his office, and shall thereupon be and constitute the special assessment. And such special assessment, with the accruing interest thereon, shall be a paramount lien upon the property included therein from the time of the adoption of such assessment by the city council, and shall remain such lien until fully paid, and shall have precedence over all other liens, except general taxes, and as to such shall be concurrent, and shall not be divested or impaired by any judicial sale, and no mistake in the description of the property or in the name of the owner shall invalidate the lien.

Hearing of objections.

Special assessment a paramount lien.

Precedence over other liens, and concurrent with general taxes.

It shall then be the duty of the city clerk or recorder, not less than ten (10) days, nor more than twenty (20) days, thereafter, to transmit a certified duplicate of such special assessment to the county auditor of the county to be extended on the proper tax lists of the county and such special assessment shall be collected and paid over in the same manner as other city taxes, and when so paid over shall be credited by the city treasurer to the respective sewer district fund for which it shall be collected. Such special assessments shall be payable in equal annual in-

Special assessment extended on tax lists of county.

How payable.

stallments extending over a period not exceeding three years, and the interest thereon shall not exceed the rate of six (6) per centum per annum, payable annually, and the county auditor shall extend such special assessment on the proper list covering such period of three years, beginning with the then current year.

Before
transmission
to county
auditor.

Provided, that the owner of any property affected by such special assessment may at any time before transmission thereof to the county auditor, pay such special assessment as to any lot, piece or parcel of land affected thereby to the city treasurer, without interest, and receive the proper receipt therefor, and the city clerk or recorder shall, upon the presentation of such receipt from the city treasurer, cancel upon the special assessment list the special assessment so paid.

All of
special
assessment
may be
paid to
county
treasurer.

Provided, further, that any owner of property affected by such special assessment may, at any time after such special assessment is transmitted to the county auditor, pay to the county treasurer, upon the statement of the county auditor, all of such special assessment then remaining unpaid, with accrued interest, and receive proper receipt therefor from such county treasurer, and the county auditor shall thereupon make proper entries upon such special assessment records to show such payment; and such receipts from the city treasurer and county treasurer shall be prima facie evidence of the payment of the special assessment indicated by such receipts.

Supplemental
assessments.

SEC. 10. In case of omission, errors or mistakes, in making such assessment in respect of the total cost of such improvement, or otherwise, it shall be competent for the city council to provide for and make supplemental assessments to correct such omission, errors or mistake; and such supplemental assessment shall be a lien as in case of the original assessment, drawing interest at the same rate and be payable and enforceable in the same manner as is herein provided with respect to the original assessment.

Fund of
sewer dis-
trict No.—.

SEC. 11. All moneys collected on any such special assessments shall constitute a fund for the payment of the cost of the improvement in the district for which such assessment was made, and the same shall be credited to the proper sewer district fund under the designation: "Fund of Sewer District No. ———"; and in anticipation of the collection of such special assessment the city may issue warrants on such fund, to be known as "sewer warrants," payable at such times and in such amounts as, in the judg-

Sewer
warrants.

ment of the city council, the collections of such special assessments will provide for, which warrants shall bear interest at a rate not to exceed six (6) per cent per annum, payable annually, and may have coupons attached representing each year's interest. Each warrant shall upon its face state for what purpose it is issued and specify the particular fund against which it is drawn, and shall be signed by the mayor and countersigned by the city clerk or recorder, and be in denomination of not less than fifty dollars nor more than five hundred dollars. Such warrants may be used in making payments on contracts for the improvements or may be sold by the city for not less than par and the proceeds thereof used in paying for such improvements. It shall be the duty of the city treasurer on presentation to pay such warrants and interest coupons, as they mature, out of the proper sewer district fund, and to cancel the same when paid. If any such warrants shall become due, or any interest shall become due on any such warrant, when there are no funds to pay the same, the city council is hereby authorized to effect a temporary loan for the payment thereof.

Temporary
loan for
payment of
warrants.

SEC. 12. Any matured sewer warrant or interest coupon may be used in the payment of any such special assessment on any particular property situate within the district for which such warrant or coupon shall have been issued; and the warrants and coupons so used shall be canceled and retired by the city treasurer.

Warrants
accepted in
payment of
assessments.

SEC. 13. No conveyance of any land upon which any such special assessment or portion thereof remains unpaid shall be recorded until all of such special assessment shall have been paid in full, any other provision in this act to the contrary notwithstanding.

Conveyances
of land
not entitled
to record
until as-
sessment is
paid.

SEC. 14. In all proceedings and records prepared or used in the making, levy or collection of such special assessments, letters, figures and proper ditto marks may be used to denote lots, pieces and parcels of land, and blocks, sections, townships, ranges and parts thereof, and dates.

In case
of error
or omission.

SEC. 15. No error or omission which may be made in any of the proceedings of the city council, or any officer of the city or county, in refusing to, reporting upon, ordering, recording or otherwise acting, concerning any local improvement provided for in this act, or in making any such special assessment or in levying or collecting the same, shall invalidate such assessment; unless it shall appear that by reason of such error or omission substan-

tial injury has been done to the party claiming to be aggrieved.

Assessment
set aside,
a reassess-
ment shall
be made.

SEC. 16. In all cases where any assessment, or any part thereof, as to any lot, lots or parcels of land assessed under any of the provisions of this act, or of any law of any city prior to this act, for any cause whatever, whether jurisdictional or otherwise, shall be set aside, or declared void by any court, the city council shall, without unnecessary delay, cause a reassessment or new assessment to defray the expenses of such improvement to be made, whether such improvement was made under this act, or any laws of any city prior to this act, and such reassessment or new assessment shall be made as nearly as may be, as herein provided for making the assessment therefor in the first instance; and when the same shall have been made and confirmed by the city council, it shall be enforced and collected in the same manner that other assessments are enforced and collected under this act and in all cases where judgment shall hereafter be refused or denied by any court for the collection or enforcement of any special assessment, or where any court shall hereafter set aside or declare void any assessment upon any lot or parcel of land for any cause, the said lot or parcel of land may be reassessed or newly assessed from time to time, until each separate lot, piece or parcel of land has paid its proportionate part of the costs and expenses of said improvement as near as may be.

Valid as-
sessment
made prior
to this
act not
affected.

SEC. 17. Nothing in this act shall affect any valid assessment made by any city prior to the passage of this act, but all such prior assessments shall be collected in accordance with the provisions of law in respect of the same in force prior to the passage of this act.

Notice to
specify
particular
district.

SEC. 18. The notice of the time and place when and where the city council will meet in regular session to adopt any proposed assessment under section 9 of this act, and to be prepared by the city clerk or recorder and published, shall specify the particular sewer district or districts in which the improvement is to be made and shall describe with all reasonable certainty the location, extent and termini of the sewer or sewers to be laid, relaid or extended; *provided*, that no omission or inaccuracy in such notice shall invalidate the notice or the assessment, unless substantial injury shall be shown by the person claiming to be aggrieved thereby.

Not in-
valid, ex-
cept sub-
stantial
injury is
shown.

When the city council shall meet for the purpose of

adopting any proposed assessment under the provisions of section 9 of this act, no grievance or objection thereto, or to any item therein shall be heard by the city council, unless the party objecting, or his duly authorized agent or attorney, shall, on or before the date of such session of the city council, file with the city clerk or recorder, for presentation to the city council, a complete written statement of the objection with specific reference to the matter or item or items called in question and to which objection is made.

Objections
must be
in writing.

SEC. 19. Any person feeling himself aggrieved by such special assessment may, by notice in writing served upon the mayor, and also upon the city clerk or recorder, a copy whereof with proof of service shall be filed in the office of the clerk of the district court of the proper county, within twenty days after the adoption of such special assessment, appeal from such special assessment to the district court aforesaid, and such appeal shall be disposed of in a summary manner by the court. And the trial of such appeal, no pleadings shall be required, but the party appealing shall in his notice of appeal specify and enumerate the particular grounds of his objection to such special assessment, and shall not be entitled to have considered on such appeal any grounds of objection or items other than those specified in such notice, and no question shall be tried on such appeal as to any fact which may have arisen or existed prior to the letting of the contract or contracts for the improvement; and a copy of the assessment roll in question and of the resolution of the city council confirming or adopting the same, certified by the city clerk or recorder, or the originals thereof, shall be prima facie evidence of the facts therein stated or denoted, and that such assessment was regular, just and made in conformity to law, and the judgment of the court on the determination of such appeal shall be final. Such appeal shall be entered and brought on for hearing and be governed by the same rules as far as applicable, as in appeals from justices of the peace in civil actions, and like bonds shall be given to the city by the person appealing as are required in the appeals from justices of the peace in civil actions, but such bond shall, to render such appeal effective, be approved by the judge of such district court.

Appeal to
district
court.

Provided, that no appeal to the district court shall be made, heard or determined as to such special assessment, or any item therein, unless such objection shall have been,

Such ob-
jection
must first
be presented
to city
council.

as in this act specified, previously presented to and passed upon by the city council.

Maintenance
and repair.

SEC. 20. Whenever any such sewer shall be laid, re-laid or extended, it shall be the duty of the city council to maintain and keep the same in repair, at the expense of the city.

Private
connections
must be
with
lateral
sewers
and by
formal
permission.

SEC. 21. All private connections shall be made with lateral sewers, unless some insurmountable obstacle of a practical or scientific nature shall prevent, and no private connection with any sewer whatever shall in any event be made without formal permission therefor granted by the city council, and the making of all private connections with any sewer shall be subject to supervision and control by the city council; *provided*, that such supervision and control may be delegated by the city council to the city engineer or other person to be selected by the city council, in its discretion.

Eminent
domain.

SEC. 22. Whenever it shall become necessary for the city to exercise the right of eminent domain for purposes included within this act, all proceedings therein shall conform as near as may be to the provisions of sections 2620 to 2632, both inclusive, of the General Statutes of 1894.

SEC. 23. This act shall not be construed as in any manner superseding, repealing, amending or qualifying the provisions of any home rule charter heretofore or hereafter adopted by any city or village under existing laws.

SEC. 24. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 465.

CHAPTER 313.

R

Counties of
200,000 and
over.

An act requiring county commissioners in all counties of this state, having a population of two hundred thousand (200,000) inhabitants, or over, to give a bond to the State of Minnesota for the faithful performance of their duties as county commissioners.

Be it enacted by the Legislature of the State of Minnesota:

County com-
missioners
to take
oath and
give surety
bond.

SECTION 1. That each member of the board of county commissioners of all counties in this state now having, or which shall hereafter have a population of two hundred thousand (200,000) inhabitants, or over, shall before he

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1903
This
act does
not affect
any home
rule
charter

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enters upon the duties of said office, take and subscribe the oath prescribed by law, which oath shall be indorsed on the certificate of his election, or appointment, and shall also give a bond, executed by a surety company authorized by do business in the State of Minnesota payable to the State of Minnesota in the penal sum of ten thousand dollars (\$10,000) to be approved by a judge of the district court of the judicial district in which said county commissioner is elected, or appointed, conditioned that the said county commissioner shall well and faithfully, in all things, perform and execute the duties of his office according to law, during his continuance in office, which bond, together with the oath and certificate of election, or appointment, aforesaid, shall be recorded in the office of the register of deeds of such county and filed with the public examiner of the State of Minnesota, *provided*, that the rate to be paid for such surety bonds shall not exceed the rate now prescribed by law in respect to city and county treasurers' surety bonds, and the amount thereof shall be a charge against the county, payable out of the county revenue fund.

Filing and
record.

SEC. 2. All acts and parts of acts, whether general or special, inconsistent with this act, are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after the first day of May, nineteen hundred and three (1903).

Approved April 21, 1903.

CHAPTER 314.

S. F. No. 558.

An act to provide free text books in certain independent school districts in this state.

Independent
school
districts.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all independent school districts in this state situated within the incorporated limits of a city of under ten thousand (10,000) population, and whose boundary lines are co-terminus and co-extensive with the boundary of said city, the board of education of such school district may, in their discretion, provide free text books for such use of the pupils of all the schools located within such school district, and the expense of securing such text books shall be provided by a tax to be

Free text
books
may be
provided.

Tax
levy.

levied upon all the property situated within such school district and collected and paid in the same manner as other taxes; and such tax levy shall be deemed to be in addition to the authorized limit of taxation now existing in such district. The sum to be paid for such text books shall be certified by the board of education of such district to the county auditor of the county in which such district is located, and the county auditor shall forthwith proceed to levy a tax sufficient to meet such expense and spread the same upon the tax list at the time of levying all other taxes in such county or school district.

Petition
and sub-
mission to
voters.

SEC. 2. Whenever the board of education shall receive a petition signed by at least twenty-five qualified voters of such school district, petitioning that such text books be provided for the district, the board in the event of declining to provide of their own motion for such text books shall transmit such petition to the city council of the city in which such district is located, and shall request such city council to submit the proposition of providing free text books in such school district to all the qualified voters of such city at the next regular ensuing municipal election, at which election all the voters of such city entitled to vote upon questions relating to schools shall be entitled to vote upon the proposition to provide such text books, and in the event that a majority of all the votes cast at such municipal election shall be in favor of providing such text books, it shall be the duty of the school board of such school district to provide text books as aforesaid for use of the pupils of such district.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 315. *R*

S. F. No. 560.

An act to amend chapter two hundred and fifty-eight of the General Laws of Minnesota for nineteen hundred and one, and any acts amendatory thereof, being "an act providing for the drainage of lands in certain cases, prescribing the powers and duties of county commissioners and other officers in the premises, and appropriating funds for the payment of assessments against state lands affected thereby, and prescribing penalties for the violation thereof, and repealing certain acts therein mentioned and referred to," as said chapter is amended by chapter thirty-eight of the General Laws of Minnesota for nineteen hundred and two; said chapter thirty-eight being an act to amend chapter two hundred and fifty-eight of the General Laws of nineteen hundred and one.

Drainage.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section seventeen of chapter two hundred and fifty-eight of the General Laws of Minnesota for nineteen hundred and one, being "an act providing for the drainage of lands in certain cases, prescribing the power and duties of county commissioners and other officers in the premises, and appropriating funds for the payment of assessments against state lands affected thereby, and prescribing penalties for the violation thereof, and repealing certain acts therein mentioned and referred to," as said section seventeen is amended by section ten of chapter thirty-eight of the General Laws of Minnesota for nineteen hundred and two, being an act to amend chapter two hundred and fifty-eight of the General Laws of nineteen hundred and one, be and the same is hereby further amended to read as follows:

Section 17. The board of county commissioners of each and every county wherein any such ditch is proposed to be wholly or partly located and established, are hereby authorized to issue the bonds of their respective counties in such amount as may be necessary to defray in whole or in part the expense incurred or to be incurred in locating, constructing and establishing so much of any such ditch as may be located within such county; or in such relation to such county as to affect lands therein within the terms of this act. The word "expenses" shall be construed to mean and to cover every item of cost of said ditch from

County commissioners of each county authorized to issue bonds.

Expenses defined.

its inception to its completion, and all fees and expenses to be incurred in pursuance thereof.

Such bonds shall be payable at such time or times—not to exceed ten years from their date—and shall bear such rate of interest—not to exceed 6 per cent per annum—payable annually or semi-annually, all as the board of county commissioners shall by resolution determine.

Each bond shall contain a recital that it is issued by authority of and in strict accordance with the provisions of this act, and shall be signed by the chairman of said board and countersigned by the county auditor, who shall keep a record thereof.

Said board shall have power to negotiate said bonds as they shall deem for the best interest of said county, but not for less than their par value. The proceeds from the sale of all such bonds shall be placed in a general ditch fund, which is hereby created.

Such board shall provide moneys for the payment of the principal and interest of said bonds as they severally mature, which moneys shall be placed in the general ditch fund into which fund they may transfer any surplus moneys remaining in the general revenue fund or other funds of the county which can properly be used for the purposes of this act, into which fund shall also be paid all moneys received from the payment of any liens created under the provisions of this act.

SEC. 2. Amend section 20 of said chapter 258, General Laws of 1901, so as to read:

Section 20. The amount that each tract of land, public or corporate road or railroad shall be liable for on account of the location, construction and establishment of any ditch or ditches under the provisions of this act shall bear interest from the date of the filing of the auditor's statement in the register of deeds' office at the rate of six per cent (6 per cent) per annum until paid; *provided* that when bonds are issued by the county for the construction and establishment of such ditch the same rate of interest shall be charged as said bonds so issued bear, and said interest shall constitute an additional lien on said lands or roads until fully paid, which said interest when about to be paid shall be computed by the auditor.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

Amount that such tract is liable for to bear interest from time of filing in register of deeds office.

Interest is an additional lien.

CHAPTER 316. *R*

S. F. No. 26.

An act to establish the Minnesota Sanatorium for Consumptives.

Sanatorium
for con-
sumptives.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. The governor, with the advice and consent of the senate, shall appoint five citizens of this state, who shall be physicians, and one of whom shall be a homeopathic physician, who shall constitute the advisory commission of the Minnesota Sanatorium for Consumptives, and serve without compensation, but they shall receive their necessary expenses incurred in the performance of their duties under this act, and who shall hold office for terms of one, two, three, four and five years, respectively, beginning with the first Monday of July in the present year and until their respective successors are appointed and qualified; and previous to the first Monday of July in each year thereafter the governor shall in like manner appoint one such commissioner to hold office for the term of five years, beginning with the first Monday in July of the year of his appointment and until his successor is appointed and qualified.

Advisory
commission.

And such commissioner may be removed by the governor with the advice and consent of the senate, for such cause as they may deem sufficient and as shall be assigned in the order of removal.

Removal.

SEC. 2. Each member of said commission shall, before entering upon the performance of his duties as such member, take and subscribe an oath that he will support the constitution and laws of this state, and will faithfully perform his duties as a member of said commission, which said oath, with the certificate of the officer administering the same, shall be filed in the office of the secretary of state.

Oath,
filing.

SEC. 3. The board of control of state institutions shall have authority on behalf and in the name of the State of Minnesota, with the approval of the advisory commission, to purchase suitable real estate near Walker, Cass county, as a site for said sanatorium, and to cause to be erected thereon buildings suitable for the care and treatment of consumptives and to provide for the equipment and furnishing of said buildings, but the total amount to be paid or incurred for said purposes or for any other purpose

Sanatorium
to be
located
near
Walker.

named herein shall not exceed such sum as may be appropriated for the purpose of carrying out the provisions of this act.

Adoption
and ap-
proval of
plans.

SEC. 4. Said board of control shall adopt and approve suitable plans for said sanatorium, after the advisory commission has approved of the same, and no expenditure shall be made and no liability incurred on account of the erection of said buildings, except for plans therefor, until said plans have been so adopted and approved, but no plans shall be so adopted or approved unless said board of control shall be satisfied that the cost of the site for said sanatorium and of the erection and completion of buildings therefor, and the equipment and furnishing of the same ready for occupancy, in accordance with said plans, will not exceed the sum of one hundred and fifty thousand dollars.

Proclamation
establish-
ing sana-
torium.

SEC. 5. When the buildings herein provided for are so far completed that in the opinion of said board they may properly be used for the purposes of said sanatorium, said board of control shall notify the governor, who shall thereupon issue his proclamation establishing said sanatorium.

Board of
control to
manage.

SEC. 6. The state board of control shall have full power to manage, control and govern, subject only to the limitations contained in this act, the Minnesota Sanatorium for Consumptives.

Examining
physicians.

SEC. 7. Said advisory commission shall also appoint in each county of the state not less than one nor more than three reputable physicians, citizens of the State of Minnesota, who shall examine upon the presentation of orders from the superintendent of said sanatorium all persons applying for admission and treatment in said sanatorium, and determine whether such persons so applying are suffering from incipient pulmonary tuberculosis, and forthwith report the result of such examinations to the superintendent of said sanatorium.

Who may
be admitted.

Only persons suffering from incipient pulmonary tuberculosis shall be received as patients in said sanatorium.

Qualifica-
tions of
examiners.

Said examining physicians shall have been in the regular practice of their profession for at least five years, including one year's actual experience in a general hospital, and in all counties wherein more than one examining physician is appointed such physicians shall be of the different schools of practice, and each of said examining physicians shall be entitled to a fee or compensation of

three (3) dollars for each patient examined, which shall be paid out of the funds appropriated for said sanatorium.

Fees.

SEC. 8. Said board of control shall have power to appoint a superintendent, who shall be legally qualified to practice medicine in this state, with an experience of at least five years in the actual practice of his profession, including at least one year's actual experience in a general hospital.

Superintendent.

The superintendent shall first appoint such employees as are necessary and proper for the due administration of the affairs of such institution, prescribe their duties and places, and, subject to the board of control, fix their compensations within the appropriation fixed therefor; second, oversee and secure the individual treatment and personal care of each and every patient of the hospital while resident therein and keep a proper oversight of all the inhabitants thereof; third, have the general superintendence of the buildings and grounds, with their furniture and effects and the control of all persons employed in and about the same; fourth, maintain a salutary discipline among all employees, patients and inmates of the hospital and enforce strict compliance with his instructions and obedience of all rules and regulations of the hospital.

Duties of superintendent.

He shall, under the supervision and control of the board of control, discharge such patients as are sufficiently restored to health and such as are found to be unsuitable patients for the hospital; fifth, cause full and fair accounts of the conditions and prescriptions of the patients to be kept regularly from day to day in books provided for that purpose; sixth, conduct the official correspondence of the hospital and keep a record or copy of all letters written and files of all letters received; seventh, prepare and present to the board of control, whenever requested so to do, a true and perfect inventory of all the personal property and effects belonging to the sanatorium, and account, when required by said board, for the careful keeping and economical use of all furniture, stores and other articles furnished for the sanatorium; eighth, keep a list of persons applying for admission and treatment in the sanatorium in the order in which applications are filed, and whenever a vacancy occurs among the patients send an order for examination to the applicant who has precedence upon said list, provided such applicant has

been a resident of the state for at least one year next preceding the date of the application.

Inmates
to pay
when able
so to do.

SEC. 9. The charges for the support of such of the inmates of the sanatorium as are of sufficient ability to pay for the same, or have persons or kindred bound by law to maintain them, and able so to do, shall be paid by such inmates, such persons or such kindred at a rate to be determined by said board of control.

County com-
missioners
authorized
to incur
expense
when pa-
tient is
unable
to pay.

Any person unable to pay such charges for support may be admitted to said sanatorium upon the request of the county commissioners of the county whereof such person is a resident, and the charges for the board of such persons so received shall be paid by the county at the request of whose commissioners such person has been admitted, and the county commissioners of the counties of this state, whether caring for the poor on the town or county systems, are hereby authorized to incur, on behalf of their respective counties, the necessary expenses for such board and to pay the same.

Homeopathic
treatment.

SEC. 10. The board of control shall provide homeopathic medical treatment for all patients who desire it, and for that purpose shall appoint such number of homeopathic physicians as may be necessary.

Appropri-
ation.

SEC. 11. There is hereby appropriated from the funds in the state treasury not otherwise appropriated, for the purchase of a site and for the construction, equipment and furnishing of the buildings for said sanatorium, and for the support and maintenance of said sanatorium the sum of twenty-five thousand (\$25,000) dollars.

SEC. 12. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 321.

CHAPTER 317.

R

Sale and
lease of
state lands.

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An act amending section three (3) of chapter one hundred five (105) of the General Laws of Minnesota for the year 1895, relating to the sale and lease of mineral and other lands belonging to the State of Minnesota.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section three (3) of chapter one hundred five (105) of the General Laws of Minnesota

for the year 1895, be and is hereby amended to read as follows, to-wit:

Section 3. At any time prior to the expiration of said lease, the leaseholder, or any assignee thereof, shall have the right to obtain from the said commissioner of the state land office a contract, which shall bind the State of Minnesota, as the party of the first part, and the person, persons or corporation to whom said contract shall issue, as the party of the second part, in a mutual observance of the obligations and conditions as specified therein.

Lease holder or assignee shall have right to bind state prior to expiration of lease.

In case of an assignment of the contract or lease the same shall be made in writing, signed by both parties thereto, witnessed by two witnesses, and acknowledged before a notary public, and the approval of the land commissioner indorsed on the same and signed by him. All leases, contracts or assignments herein referred to shall be filed in the office of the land commissioner, and the date and hour of filing of any such instrument shall be at the time of filing, be indorsed thereon, and signed by the land commissioner.

Execution of assignments.

Filing.

On tender of the reasonable fee therefor, the land commissioner shall, on the request of any person, furnish a certified copy of any assignment of any such lease or contract, and also, as a part thereof, all indorsements on such assignment.

Certified copy.

Any such copy certified by the land commissioner, or the record of any such certified copy, when recorded in the office of the register of deeds of the county in which the land described in such instrument is situated, shall be received in all courts and proceedings of every nature as prima-facie evidence of its contents, with the same force and effect as would be given to the original instrument and the original indorsements of approval and filing thereof.

Prima facie evidence.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 481.

CHAPTER 318. *R*

An act to prevent fraud in the service of notices of expiration of redemption in tax proceedings.

Be it enacted by the Legislature of the State of Minnesota:

Fraud in service of notice of expiration of redemption in tax proceedings defined.

SECTION 1. Whenever any notice of expiration of redemption shall heretofore have been, or shall hereafter be served upon the person named in the notice, and it shall be made to appear that such person named in such notice, was at the time of the service not the real owner of the lands described in such notice and had no interest therein for more than two years prior to the time of such service, although the said lands were assessed in his name, and if it shall be made to appear further that said person named in such notice had fraudulently caused or permitted such service to be made upon him personally and thereby prevented the service of said notice upon the occupant of said lands, or upon the real owner thereof; and had thereby prevented the service by publication of such notice, then and in such case, said notice and the service thereof shall be void and the right of redemption shall continue in the owner of the said lands the same as if no service had been made, *provided* that the action in which such claim is made or defense interposed, shall be brought within two years after such attempted service.

Action must be brought within two years.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 175.

CHAPTER 319. *R*

An act to prevent the removal of passenger stations or depots, or the abandonment of the same, or withdrawing an agent from a station upon any of the lines of railroad in this state.

Be it enacted by the Legislature of the State of Minnesota:

Unlawful to close, abandon or remove a passenger station, etc., without consent of R. R. and warehouse commission.

SECTION 1. It shall be unlawful for any person or corporation operating a line of railroad in this state, to close or abandon any passenger station or remove the station building from said station, or to withdraw an agent from any station where an agent has once been employed, without first obtaining the written consent of the railroad and warehouse commission.

SEC. 2. Any person or corporation violating the provisions of this act may be cited to appear before the railroad and warehouse commission to show cause why such station should not be re-established or re-opened, and if on such hearing the railroad and warehouse commission shall order such station to be re-established or re-opened it shall fix the time within which its order shall be complied with, and any person or corporation failing to comply with such order shall be liable to a penalty of twenty-five (\$25) dollars for each and every day such station shall remain closed or abandoned after the term fixed by said order. It shall be the duty of the attorney general to bring action to recover any penalties incurred for the violation of this act.

Hearing.

Penalty.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 320.*R*

S. F. No. 552.

An act regulating the loading of cars by shippers on track and from platform.

Loading
of cars.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. It shall be the duty of any party or corporation operating any line of railroad in this state to permit a shipper the period of thirty-six (36) hours without additional charge within which to load any car in all cases where such car has been ordered and is used for loading grain, including flax seed, potatoes and other farm produce, upon the track or from platform.

36 hours
granted.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 588.

Provides
for pay-
ment of
salaries in
counties
with 200,000
inhabitants.

CHAPTER 321.

An act authorizing boards of county commissioners in counties not having or which hereafter shall have a population of two hundred thousand (200,000) inhabitants, to provide for payments of salaries of employes of sheriffs, whose appointments are now authorized by law but compensation unprovided for.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. All boards of county commissioners in this state, in counties now having or which shall hereafter have a population of two hundred thousand (200,000) inhabitants, or over, are hereby authorized and empowered to provide for the payment out of the county treasury, and pay out of any funds therein not otherwise appropriated, for the services rendered and to be rendered by any sheriff's employes, deputies or other persons whose appointment is authorized by law, and where the manner of their compensation is not otherwise provided for.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 549.

Legal news-
papers.

Must be
admitted to
mails as
second class
matter.

CHAPTER 322.

An act to fix the qualifications of a legal newspaper.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That in addition to all other qualifications now required by law to constitute any newspaper in this state a legal newspaper it must have been admitted to the United States mail as second-class mail matter for at least one year and continue to be received as such second-class matter.

SEC. 2. This act shall apply to all existing newspapers, but shall not be deemed as invalidating any legal notice of publication required by law which shall have been heretofore published or which shall be at the time of the passage of this act in process of publication.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 323. *R*

S. F. No. 457.

An act relating to salaries and clerk hire of judges of probate in counties organized prior to April 1st, 1853, and having more than 20,000 inhabitants and less than 25,000 inhabitants, where the salary of the judge of probate is fixed by special law.

Salaries
and clerk
hire of
probate
judges.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all counties in this state, organized by statute prior to April first, 1853, containing a population of more than twenty thousand (20,000) inhabitants and less than twenty-five thousand (25,000) inhabitants, in which the salary of the judge of probate is fixed by special law, under the terms of which no allowance is made to such judge of probate for clerk hire, postage, stationery or otherwise, the board of county commissioners are hereby authorized to make an allowance to the said judge of probate for postage and stationery as shall be necessary in his office. The said board of county commissioners are further authorized to make an allowance to such judge of probate, for clerk hire, of a reasonable sum, not to exceed six hundred dollars (\$600.00) per annum, which allowance when so made, shall be paid to such judge of probate for all clerk hire, and for the services of all clerks employed by such judge of probate. The county auditor shall issue his warrants for said allowance to such judge of probate, and the same shall be paid monthly as other salaries are paid.

In counties
of more
than 20,000
and less
than 25,000
inhabitants.

Not to
exceed \$600
per annum.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 323.

CHAPTER 324.

Real estate
taxes.

An act to amend section fifty-one (51), chapter two (2), General Laws nineteen hundred and two (1902), relating to the distribution of penalties, costs and interest on real estate taxes.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section fifty-one (51) of chapter two (2) of the General Laws of nineteen hundred and two (1902) be amended so as to read as follows:

Penalty
on special
assessments.

All penalty accruing upon any tax levied by special assessment against any particular tract, block or lot in any incorporated city or village, or in any organized township or borough shall be apportioned to the general revenue fund of the city, village, township or borough where the real estate is situated, and all other penalties, costs and interest collected on real estate taxes shall be apportioned one-half to the county revenue fund and the other half to the school districts of the county in the manner provided for the distribution of other school funds by section thirty-seven hundred and sixty-three (3763) of the General Statutes of eighteen hundred and ninety-four (1894), as amended by chapter forty-nine (49), General Laws of eighteen hundred and ninety-seven (1897).

Distribution.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 325. *R*

S. F. No. 437.

An act to amend the title of chapter one hundred sixty-three (163) of the General Laws of eighteen hundred and ninety-three (1893), as amended by chapter one hundred thirty-one (131) of the General Laws of eighteen hundred and ninety-five (1895), entitled, "An act to authorize town supervisors to issue the bonds or orders of their respective towns, for the purpose of refunding or paying outstanding bonds of said town, regulating the issue and providing for the payment thereof."

Authorizing
town super-
visors to
issue bonds.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the title of chapter one hundred sixty-three (163) of the General Laws of eighteen hundred and ninety-three (1893) as amended by chapter one hundred thirty-one (131) of the General Laws of eighteen hundred ninety-five (1895), be and the same is hereby amended so as to read as follows:

"An act to authorize town supervisors to issue the bonds or orders of their respective towns, for the purpose of refunding or paying outstanding bonds of said towns, or for the purpose of funding the floating indebtedness of said town, regulating the issue and providing for the payment thereof."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 326. *R*

S. F. No. 271.

An act to amend section forty-one (41) of chapter 144, General Laws 1885, entitled an act to regulate warehouses, inspection, weighing and handling of grain.

Weighing
and handling
of grain.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section forty-one (41) of chapter 144, General Laws of 1885, be and the same is hereby amended so as to read as follows:

Section forty-one (41). All moneys collected by the state grain inspectors, weighmasters and other officers as herein provided for, shall be by them paid into the state treasury, and the state treasurer is hereby directed on the

Shall be
paid into
state
treasury.

first of each month to place to the credit of said moneys all interest received from deposits of said moneys in banks, notice of the amount of interest so credited to be sent to the chief inspector,—said moneys to constitute a fund known as the state grain inspection fund.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 486.

CHAPTER 327.

R

Publication
of annual
statement.

An act to amend section seventy-four of chapter one hundred seventy-five of the Laws of eighteen hundred ninety-five, entitled "An act to revise and codify the insurance laws of the state." This amendment relates to the publication of the annual statement of insurance companies in this state, as required in said act.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section seventy-four of chapter one hundred seventy-five of the Laws of eighteen hundred ninety-five, be amended so as to read as follows:

Statement
of condition
to insur-
ance com-
missioner.

Section 74. Every insurance company doing business in this state must transmit to the insurance commissioner a statement of its condition and business for the year ending on the 31st day of December. Said statement must be published in both Hennepin and Ramsey counties in the English language at least three times in a daily newspaper of general circulation, printed and published in the English language, and having a bona fide circulation of two thousand copies or more in the county where the same is published; *provided, however*, that in case such insurance company has its home office in some other county than [either] Hennepin or Ramsey, then the statement of such company shall be published in a daily newspaper published in such county where the home office is located, and in case there is no daily paper published in such county, then in some weekly paper published therein. All statements for publication shall be made out on blanks furnished by the insurance commissioner and under his direction, and the insurance commissioner's certificate of authority to do business in this state shall be published in connection with said statement of each company doing business in this state.

Published
in daily
newspaper.

Proof of publication, to-wit, the printer's affidavit of the fact, shall be filed with the insurance commissioner in all cases.

Proof of publication.

In case such statement is not published by the company or its agent, and proof of publication filed as required within sixty days from the date of filing the statement with the insurance commissioner, it shall be the duty of the insurance commissioner to have the same published as provided in this section, and collect the cost of said publication from the company.

SEC. 2. This act shall take effect and be in force from and after July 1, A. D. 1903.

Approved April 21, 1903.

CHAPTER 328.

S. F. No. 472.

An act to legalize the foreclosure of mortgages by action prior to April 23rd, 1897, when chapter 253 of the laws of that year was passed, in cases where the usual certificate and order of confirmation of sale were made and the time for redemption had expired but no final decree had been made or entered prior to that date, when a final decree in action to foreclose mortgages was dispensed with by that enactment.

Legalizing foreclosure of mortgages.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all cases and instances of foreclosures of real estate mortgages by action, prior to the 23rd day of April A. D., 1897, when chapter 253 of the laws of that year was passed, wherein the usual certificate and order of confirmation of sale were made and the time for redemption had expired and no redemption made, but no final decree had been made or entered prior to that date, when by said enactment final decrees in actions to foreclose real estate mortgages was dispensed with, such foreclosures of real estate mortgages by action are hereby fully and completely legalized and made valid and effective as if such final decree had been or were made and entered in the theretofore customary manner and the certificate of sale in such actions and foreclosure proceedings, if conforming to the laws and statutes in such cases made and provided, is hereby made effective to operate as a conveyance, to the purchaser at the sale or his assignees or successors in interest, of all the right,

Made legal in certain cases.

title and interest of the mortgagor, his heirs or assigns, in and to the premises named therein, which the said mortgagor had at the date of the mortgage, from and after the expiration of one year from the date and entry of the order confirming the sale, without any final decree or other act, proceeding or conveyance whatever. *Provided* that nothing herein contained shall be construed to apply to cases now pending which involve the legality or validity of such sale.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 245.

CHAPTER 329.

R

Allows
villages to
issue bonds
for roads
and
bridges.

An act to amend sections one (1) and two (2) of chapter two hundred of the General Laws of eighteen hundred and ninety-three (1893), so as to allow villages to issue bonds to aid in the construction and repair of bridges and roads within two miles of the limits of such villages.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That sections one (1) and two (2) of chapter two hundred (200) of the General Laws of eighteen hundred and ninety-three (1893) be amended so as to read as follows:

Within
two mile
limit.

Section 1. Every village of this state is hereby authorized to issue its bonds for any lawful improvements in said village, and to aid in the construction and repair of bridges and roads within two miles of the limits of such village, by conforming to the provisions of this act.

Erecting
public
buildings.

Section 2. Whenever the village council or other similar body of any village of this state shall determine, by resolution duly passed and recorded, to raise the amount of money stated in such resolution for the purpose of erecting any public building or making any lawful improvement therein, or for the purpose of aiding in the construction and repair of bridges and roads within two miles of the limits of such village; or when a petition addressed to such village council or other similar body and signed by at least twenty-five (25) of the voters and freeholders residing in any such village, setting forth in such petition that it is the desire of such petitioners that the said village

shall erect any such public building or make such other lawful public improvement therein, or to aid in the construction and repair of bridges and roads within two miles of such village, the cost whereof shall not exceed the amount named in such petition, which said building or improvement or aid in the construction and repair of such bridges and roads within two miles of the limits of such village shall be generally described in such petition. It shall be the duty of such village council or similar body to cause the proposition expressed in such resolution or petition to be submitted to the electors of such village at the next annual village election to be held therein, or at such special election as the said council or other similar body shall by resolution designate.

Must be
submitted
to vote.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 330.

S. F. No. 246.

An act authorizing the refundment of money illegally collected from purchasers of railroad lands for real estate taxes levied under and by virtue of chapter 168 of the General Laws of 1895.

To refund
money.

WHEREAS, the supreme court of the United States in the case of Stearns vs. Minnesota, 179 United States Reports, 223, in which State of Minnesota ex rel., James N. Marr vs. Fred Stearns was reversed, decided that the law of 1895, chapter 168 of the General Laws of Minnesota, providing that certain lands owned by railroads and not used for railroad purposes, be assessed and taxed as other lands are assessed and taxed in this state, was and is unconstitutional and void; and

WHEREAS, pursuant to said chapter 168 certain persons were compelled to pay into the treasury of certain counties various sums of money for taxes assessed and levied under said act in order to place of record deeds to said lands purchased from said railroads, and did pay said taxes under protest; and

Illegally
paid for
taxes on
R. R. lands.

WHEREAS, it appears by reason of said decision of the supreme court of the United States that said chapter 168 was and is invalid and that said sums of money were unlawfully collected, and that said counties have no right to retain the various sums so paid;

Now, therefore, be it enacted by the Legislature of the State of Minnesota :

Petition
board of
county com-
missioners.

SECTION 1. Whenever any purchaser of such railroad lands, or his assigns, shall petition the board of county commissioners of the county where the lands are situate, setting forth facts showing the payment under protest of taxes assessed and levied upon such lands pursuant to chapter 168 of the General Laws of Minnesota for the year 1895, said commissioners shall inquire into the truth of the facts alleged in said petition, and if they are satisfied that all of the facts affecting the case are fully and fairly stated, they shall so certify to the state auditor, and the latter officer, if he is satisfied that such application comes within the terms and provisions of this act, shall authorize the refunding of the amount so paid for taxes levied and assessed as aforesaid under said chapter 168 of the General Laws of 1895; and thereupon the county auditor shall draw an order for the sum so authorized to be refunded on the treasurer of said county, to be countersigned and paid as other county orders. The several funds—state, county, town, city, village, school, and others—shall be charged with their several proportions of the amount so refunded.

Charged to
several
funds.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 470.

CHAPTER 331.

R

Extinct
corporations.

An act to wind up the affairs of extinct corporations, to appoint receivers therefor, and to distribute its property.

Be it enacted by the Legislature of the State of Minnesota :

Provides
for closing
up affairs.

SECTION 1. That at any time after a corporation organized under the laws of the State of Minnesota and which has property undisposed of, has become extinct and after the period allowed by law to close up the affairs of such corporation, upon the petition of one or more persons owning or claiming to own, any interest in the capital stock of such corporation, or upon the petition of a creditor of such corporation, made to the district court

of the county where such corporation had its principal place of business, which petition shall set out the name of such corporation, when and under what laws it was incorporated, the names and addresses of the holders of the capital stock of such corporation at the time that the same became extinct, the amount of indebtedness owing by such corporation, the amount and character of its personal property and the amount and description of its real property, all to the best information of the applicant, and praying that the affairs of such extinct corporation be wound up; that a receiver be appointed therefor; and that its property be distributed to the persons entitled thereto by law; the district court shall thereupon make its order fixing a time and place for hearing such petition.

SEC. 2. Such hearing shall be had before said district court or any judge thereof at such place within said county as the court may determine and notice of the time and place of said hearing shall be given to all parties interested by publication of said order in any newspaper in said county for three successive weeks prior to such hearing, and the court in its discretion may direct that other or further notice shall be given in such manner as it shall determine. The court may require of the petitioner a bond in such sum as he may designate with sufficient surety conditioned that the petitioner will pay all the costs of such proceeding above the amount of the assets of such corporation.

Hearing
before
district
court.

SEC. 3. At such hearing the court shall determine the rights of the claimants to stock in such corporation; shall allow or disallow claims of creditors, and shall appoint a receiver to take charge of all the assets of such corporation.

Rights of
claimants.

SEC. 4. No claim shall be allowed against such a corporation that is not presented at said meeting and no stockholder shall participate in the dividends thereafter to be declared unless he proves his right to the capital stock of such corporation at said meeting. *Provided*, that upon sufficient cause shown the court may at any time thereafter and within sixty days, hear and determine the claims of other creditors and stockholders, but such other creditors or stockholders shall give ten days' notice to the receiver of the application therefor.

SEC. 5. Such receiver shall before entering upon his

Duties of receiver.

duties, take and subscribe an oath of office and give bond to the State of Minnesota for the faithful performance of his duties, in such amount as the court may require, and with surety or sureties approved by the court. Upon filing with the clerk of the court of said county the order of appointment, oath and bond approved by the court, such receiver shall be vested with all the powers and authority of a receiver appointed by a court of equity except as herein limited.

Convert assets into cash.

SEC. 6. The receiver shall convert into cash all the assets of said corporation, both real and personal, as soon as it conveniently may be done. Personal property may be sold at public or private sale without the order of the court. All sales of real property shall be made upon order of the court and at public or private sale and with or without appraisal, as the court may determine and without notice, unless the court otherwise direct. Sales of real property shall not be valid unless confirmed by the court.

Receiver to make report.

SEC. 7. When all the assets of such extinct corporation have been converted into cash, the receiver shall make his report to the court from which he received his appointment, and shall therein specify in detail the expense of the receivership. No notice of the hearing on such report shall be given, except that ten days' notice by mail shall be given to such interested parties who have served notice upon the receiver that they desire to appear at the time of hearing such report.

Payment to creditors.

SEC. 8. Upon allowing the report of the receiver the court shall direct payment in full to such creditors whose claims have been allowed, if there are sufficient assets in the hands of the receiver; otherwise, such creditors shall be paid pro rata. After payment of the expenses of the proceeding and creditors' claims, the remainder shall be distributed pro rata among the stockholders whose shares have been proved and in the proportion in which they have proved themselves entitled.

SEC. 9. Upon making return to the court showing that such distribution has been made, the court shall make its order discharging such receiver.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 332. *Re*

S. F. No. 645.

An act authorizing the extension of the term of corporations in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any corporation heretofore organized under the General Laws of this state, whose original term has expired less than three years prior to the passage of this act, may, at any time during the three years allowed by law for winding up its affairs, renew its corporate existence from the date of the expiration of its original term of existence for an additional period not exceeding the original period of its existence, with the same force and effect as if renewed prior to the expiration of its original term of existence, by adopting a resolution expressing such proposed extension by a two-thirds vote of its stockholders, and by filing and publishing the same in the same manner as now provided for filing and publishing of original articles of incorporation, and by paying into the state treasury the same incorporation fees as now provided by law for filing original articles of incorporation.

Extends
term of
corporation
in certain
cases.

Filing and
publishing.

Provided, that such proceedings to obtain such extension shall be taken within ninety (90) days after the passage of this act, and *provided further*, that this act shall not apply to any corporation which is insolvent or the charter of which has been declared forfeited by the final judgment of any court of competent jurisdiction in this state.

Within
90 days.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 333.

H. F. No. 909.

An act fixing and regulating the collection and disposition of fees of clerks of the district court in counties having or which hereafter may have a population of 200,000 inhabitants or over.

Fees of
clerk of
court.

03 c	333
05	171
97-M	322
106-NW	345

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Every person, including the State of Minnesota and all bodies politic and corporate, who shall

Applies to
counties of
200,000 or
over.

transact any business in the district court, in and for any county in this state having, or which hereafter may have, a population of 200,000 inhabitants or over, shall pay to the clerk of said court, for the use of said county, the sundry fees hereinafter prescribed; *provided, however*, that no county* to which this act applies, being a party to any action or proceeding in the district court established in such county, shall be required to pay fees to the clerk thereof.

Civil
actions.

SEC. 2. In every civil action or proceeding in said court, except proceedings for change of name, the naturalization of foreign born residents, the registration of land titles, and the enforcement of the payment of taxes, when no answer is filed, the plaintiff, petitioner or other moving party shall pay, when the same is entered in said court, or when the first paper on his part is filed therein, a fee of \$1.00.

The defendant or other adverse or intervening party, or any one or more of several defendants, or other adverse or intervening parties appearing separately from the others, shall pay when his or their appearance is entered in such action or proceeding, or when the first paper on his or their part is filed therein, a fee of \$1.00.

Concerning
fees.

SEC. 3. When any such action or proceeding is dismissed or discontinued by either party before being placed upon the general term calendar, no further fee shall be paid, but upon the dismissal of said action or proceeding after the same has been placed upon said calendar, but before beginning trial, or upon the continuance of the same to a succeeding general term, at the request of either party, the party so dismissing or continuing the same shall, at the time of such dismissal or continuance, pay a further fee of \$.50.

Trial fee.

SEC. 4. Whenever any action or proceeding in said court is brought on for trial or hearing, each party thereto appearing separately therein, shall, before the introduction of any evidence therein, pay a trial fee of \$2.00, and in addition thereto, the plaintiff shall pay such jury fee as is provided by law.

SEC. 5. Upon the entry of judgment in any action or proceeding in said court, the party entering the same shall pay at the time of the entry thereof, except in default divorce cases, a further fee as follows:

A. In all cases wherein judgment is entered without an order of court, \$1.00.

B. In all cases wherein judgment is entered pursuant to an order of court or referee, or upon verdict, except default divorce cases and cases involving title to real estate, \$1.00.

C. In default divorce cases the trial fees shall include entry of judgment.

D. In all cases involving title to real estate, except actions for foreclosure of mortgages, \$2.00.

E. In all actions for foreclosure of mortgages upon real estate, \$4.00.

F. The fee prescribed for entering judgment in divorce cases, proceedings for the adoption of a minor child, and cases involving title to real estate, shall include one certified copy of such judgment.

SEC. 6. In all proceedings in which a receiver is appointed, and in all proceedings for taking possession of property under the right of eminent domain, the clerk of said court shall, in addition to the fees prescribed in section 2 hereof, receive such further fees proportionate to the services preformed as shall be ordered by said court.

When
receiver is
appointed.

SEC. 7. In addition to the fees hereinbefore prescribed, the clerk of said court shall demand and receive at the time of the performance of the service specified, the following fees:

A. For every transcript of judgment, \$.50.

B. For every oath administered, except those in connection with actions or proceedings pending in such court, .25.

C. For every certificate except those herein otherwise provided for, .25.

D. For every subpoena issued by the court, .25.

E. For every execution or other writ or process issued in any action or proceeding after judgment therein shall have been docketed, .50.

F. For filing, entering and docketing every transcript of judgment from another court, .50.

G. For entering and filing every assignment of judgment, .25.

H. For every certified copy of files or records, 10 cents for each folio, in addition to the full fee for certificates; *provided, however*, that any person may himself

furnish a transcript of any files or records, and the clerk shall, when requested, compare correct and certify such transcript upon the receipt of 2 cents for each folio thereof in addition to the full fee for certificate.

I. For all uncertified copies, transcripts and memoranda of files and records, 15c. for each folio; but the fee for any particular item so furnished shall not be less than \$.15.

J. For making judgment search for each debtor, .25.

Garnish-
ments and
habeas
corpus
proceedings.

SEC. 8. For the purpose of this act all garnishments, all habeas corpus proceedings, unless otherwise ordered by the court, shall be deemed proceedings, and it shall be the duty of the clerk of such court to demand and receive fees accordingly.

SEC. 9. All fees not herein specifically provided for, shall be such as are now or hereafter may be provided for by law for clerks of such district court.

03 c 333
§ 10
98-M - 179
107-NW 542

SEC. 10. In all criminal proceedings in said court, unless otherwise ordered by said court, the clerk shall demand and receive the following fees:

A. For certified copies of files and records, the same fees as are provided in civil matters.

B. For making search and certificate of any fact shown by records, \$.75.

For each marriage license, \$2.00.

Fees paid
in advance.

SEC. 11. All fees of said clerks, except in criminal proceedings, shall be paid in advance at or prior to the time herein prescribed, and said clerk shall not proceed in any matter requiring the payment of fees until the full amount of the same are paid.

SEC. 12. The fees of the clerk of said court, herein prescribed, shall be in full for all services rendered by him.

Detailed
statement
of clerk.

SEC. 13. On the first Tuesday after the first Monday of each month, the clerk of said court shall file with the county auditor a detailed statement showing all fees and moneys received by him for the preceding month, and from whom, and for what purpose received; and said clerk shall, upon said date, pay over to the county treasurer all fees and moneys received by him for the preceding month, and shall take duplicate receipts therefor from said treasurer, one of which shall be filed in the office of the county auditor and the other of which shall be filed in the office of said clerk. Said statement above

required to be filed shall be verified by the oath of said clerk to the effect that the same is in all respects just and true. Verified
by oath.

SEC. 14. The county auditor shall not deliver to said clerk the warrant for his monthly salary until said statement and duplicate receipt required herein shall have been filed with said auditor.

SEC. 15. Any falsification of the statement herein required to be made by said clerk and filed with said auditor shall be ground for his removal by the governor. Ground
for removal
from office.

SEC. 16. In determining, at any time, to what counties this act shall apply, reference shall be had to the U. S. or state census last taken.

SEC. 17. All acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 18. This act shall not affect any actions or proceedings that have been or are now pending in said court, except that the fees for all certified copies furnished by the clerk since March 25, 1903, shall be in accordance with the provisions of this act.

SEC. 19. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 334.

R

S. F. No. 205.

An act to amend section seventy (70) of chapter forty-six (46) of the General Laws of eighteen hundred and eighty-nine (1889), as amended by section six (6) of chapter one hundred and sixteen (116) of the General Laws of eighteen hundred and ninety-three (1893), and as amended by chapter one hundred and forty-nine of the General Laws of 1899, and by chapter one hundred and seventy-four of the General Laws of 1899, relating to the administration and distribution of estates of intestates.

Distribution
of estates
of intestates.
03 c 334
95-M - 304
104-NW 535
111-NW 278

Be it enacted by the legislature of the State of Minnesota:

SECTION 1. That section seventy (70) of chapter forty-six (46) of the General Laws of eighteen hundred and eighty-nine (1889), as amended by section six (6) of chapter one hundred and sixteen (116) of the General Laws of eighteen hundred and ninety-three (1893),

and as amended by chapter one hundred and forty-nine of the General Laws of 1899 and by chapter one hundred and seventy-four of the General Laws of 1899, be and the same is hereby amended so that the same shall read as follows:

“When any person dies possessed of any personal estate, or of any right or interest therein, the same shall be applied and distributed as follows:

Widow
allowed
wearing
apparel.

1. The widow shall be allowed all the wearing apparel of her deceased husband; his household furniture, to be selected by her, not exceeding in value five hundred dollars; other personal property, to be selected by her, not exceeding in value five hundred dollars; and such allowances shall be made as well when the widow receives the provisions made for her in the will of her husband, as when he dies intestate.

Allowance
to minor
children.

2. In case there is no widow surviving, then such allowance shall be made to the minor children, if any, and be selected by the guardian of such children.

Allowance
for main-
tenance.

3. The widow or children, or both, constituting the family of the deceased, shall have such reasonable allowance out of the personal estate as the probate court deems necessary for her and their maintenance during the progress of the settlement of the estate according to her or their circumstances, which, in case of an insolvent estate, shall not be longer than one year after granting administration, or in any case after the share of the widow in the residue of the personal estate mentioned in subdivision six of this section shall have been assigned to her.

When estate
does not
exceed \$150.

4. If, on the return of the inventory of any intestate estate, it appears that the value of the whole estate does not exceed the sum of one hundred and fifty dollars in addition to the allowance made for the widow and children, the probate court shall by decree for that purpose, after the payment of the funeral charges, and expenses of administration, assign for the use and support of the widow or widow and children constituting the family of the deceased the whole of such estate.

Payment of
funeral
charges.

Debts of
deceased.

5. If the personal estate amounts to more than the allowances mentioned in this section, the excess thereof shall, after the payment of the funeral charges, and expenses of administration, be applied to the payment of the debts of the deceased.

6. The residue, if any, of the personal estate, shall

be distributed in the same proportion and to the same persons and for the same purposes, as prescribed for the descent and disposition of real estate.

7. All of the foregoing provisions shall apply as well to a surviving husband as to a surviving wife."

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 335.

R

S. F. No. 569.

An act to provide for the execution of contracts relating to state institutions under the control of the board of control of state institutions.

Board of
control
contracts.

Be it enacted by the legislature of the State of Minnesota:

SECTION 1. All contracts relating to state institutions under the control of the board of control of state institutions shall be made by it in writing, and signed by its chairman.

Shall be
made in
writing.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 336.

R

S. F. No. 275.

An act for the preservation, propagation, protection, taking, use and transportation of game and fish.

Game and
fish law.

Be it enacted by the legislature of the State of Minnesota:

SECTION 1. There is hereby created a board to be known as the board of game and fish commissioners of the State of Minnesota, which board shall consist of five members, to be appointed by the governor as soon as this act is signed and takes effect.

Commission.

They shall serve without compensation, but each member shall be reimbursed for his actual expenses certified by him with a statement of items to have been necessarily incurred in the performance of his official duties.

No com-
pensation.

Term of
office.

SEC. 2. Said commissioners shall be appointed as follows: One (1) for a term of two (2) years, two (2) for a term of three (3) years, and two (2) for a term of four years, and thereafter, upon the expiration of said term of office, the same shall be filled for the full term of four (4) years, *provided* that the present game and fish commission shall serve out their full term of office as provided by law, under which they were appointed.

Provision
for room
in capitol.

SEC. 3. Said board of game and fish commissioners shall be given a suitable room in the capitol building for an office with proper furniture therefor; and also sufficient stationery and blanks for the use of the board and its officers in the transaction of the business of the board.

Duties of
commis-
sioners.

SEC. 4. The board of game and fish commissioners shall have general charge of the following public matters, and necessary powers therefor:

1. The protection, propagation and breeding of game and fish of such species and varieties as they may deem of value to the people of the state.

2. The collection and diffusion of such statistics and information as they deem useful in regard to the protection and propagation of game and fish, and to take charge of and keep all reports, books, papers and documents which shall in the discharge of their duties hereunder come into their possession and control.

Shall make
annual
report.

3. Said board shall annually on or before the first Monday in December of each year, submit to the governor of the state a detailed report showing what has been done by it during the preceding year, the amount of money received by it from all sources, a complete inventory of all game, guns, dogs and other property seized and sold, with the names of the purchasers and the amount received for the same, the amount of its disbursements in detail, and the books and vouchers of said board shall be subject to examination by the public examiner at all times.

Control
and manage-
ment of
hatcheries.

4. The control and management of all state fish hatcheries, the grounds used therefor, whether owned or leased, the buildings, ponds, apparatus and all other property belonging to or held by the state for the propagation of fish.

5. The purchase and establishment of new hatcheries in like manner when appropriations shall be made by law to purchase and maintain the same.

6. The receiving from the United States commissioner of fisheries, or other persons, of all spawn or fry donated to the state, and in the most practical way, by purchase, exchange or otherwise, to procure and receive fish, spawn or fry, and to distribute the same by stocking the waters of this state, and to take such measures as shall in their judgment best promote the supply of food fish in the waters of Minnesota.

Receipt of donations.

7. The taking of fish from the public waters of this state at all seasons of the year for artificial propagation and stocking of other waters of this state.

8. Said board may employ a competent person as superintendent of fisheries at a salary of not to exceed one thousand two hundred (1,200) dollars per annum and to be paid to him out of the funds provided for the enforcement of this act and he shall devote his entire time to the work of fish propagation and distribution under the direction of said board.

Superintendent of fisheries, salary.

He may be removed at any time by said board.

Said board may employ such assistants for said superintendent of fisheries as the exigencies of the work may require at such compensation as the board may fix.

Assistants.

9. It shall be the duty of the board to enforce the laws of this state for the protection, preservation, propagation, taking, use, possession and transportation of the birds, animals and fish in this act mentioned, and to that end said board shall have the power and authority to appoint such persons as game wardens for such periods at such compensation as said board shall determine, to aid in the enforcement of said laws.

Duty of board.

Authority to appoint wardens.

Salary of same.

Each game warden before entering upon the discharge of his duties shall give bond to said board with sureties or security in the sum of five hundred (500) dollars, conditioned for the faithful discharge of his duties as such warden, said bond to be approved by said board.

10. Said board of game and fish commissioners shall be entitled to the possession of any and all property belonging to the state by virtue of this act, and to take possession for the state of any and all game and fish and any part thereof which is declared by this act as contraband and to dispose of the same; and to take possession for the state of any property by this act declared to be a public nuisance and to dispose of the same.

Possession of property.

11. It shall be the duty of said board, for and on be-

Prosecution
of violations.

half of the State of Minnesota, to institute and prosecute all actions and proceedings against all persons for the violation of any law of this state relating to game and fish, and to institute and prosecute all actions to recover any and all claims arising under this act, whether arising out of contract or otherwise, and to protect the property of the state in any manner connected with the work of said board.

All criminal actions shall be entitled The State of Minnesota, as plaintiff, and all other actions and proceedings instituted by them shall be entitled The Board of Game and Fish Commissioners of the State of Minnesota, as plaintiff.

Employment
of an
attorney.

12. The board may employ an attorney to perform such legal services as the board may require. He may appear for said board in all civil actions in which said board or any of its wardens may be interested by reason of their position under this act, and he may assist the county attorney in the prosecution of criminal actions arising under this act, and when for any reason the county attorney does not prosecute such criminal action such attorney so employed may conduct such prosecution on behalf of the state with the same authority as the county attorney.

Compensa-
tion.

The compensation to be paid the attorney so employed shall be fixed by said board and paid out of the funds provided for the enforcement of this act.

13. Said board may employ such other persons as may be necessary for the proper performance of its duties at such compensation as the board may deem proper.

Official
seal.

14. Said board shall have such powers as are hereby or hereafter may be committed to or vested in them by law, with all powers necessarily incident to their due execution, and shall have an official seal which shall be used in authenticating documents, appointments and certificates issued by them.

SEC. 5. Said board shall appoint one of its members to act for it and to exercise for it, when it shall not be in session, all the rights, powers, and authority vested in said board.

Executive
agent.

Such person shall be known as the executive agent of the board of game and fish commissioners of the State of Minnesota, and shall devote all his time to the discharge of the duties of such position.

He shall act as such executive agent during the pleasure of said board, and shall be subject to its direction and control.

Subject to
direction of
board.

He shall receive not to exceed the sum of two thousand (2,000.00) dollars per annum for his services and to be paid to him out of the funds provided for the enforcement of this act.

Salary.

He shall before entering upon the discharge of his duties, give a bond with sureties or security to the State of Minnesota in the sum of five thousand (5,000) dollars, conditioned for the faithful accounting for all state property coming into his hands, said bonds to be approved by the board.

Shall give
bond.

SEC. 6. All payments out of the state treasury required to be made to carry out the provisions of this act, shall be made on duly approved vouchers and shall be paid the same as other state officers are paid.

Payments,
how made.

SEC. 7. The property owned or leased for use by said board shall be exempt from taxation so long as held and used for the purposes herein specified.

Exempt
from
taxation.

SEC. 8. The executive agent of said board, all members and all wardens appointed by said board shall have full power and authority to serve and execute all warrants and process of law issued by any court in enforcing the provisions of this act, or any other law of this state relating to the preservation and protection of game and fish, in the same manner as any constable or sheriff may serve and execute the same and for the purpose of enforcing the provisions of this act they may call to their aid any sheriff, deputy sheriff, constable or police officer, or any other person; and it shall be the duty of all sheriffs, deputy sheriffs, constables or police officers and other persons, when called upon, to enforce and aid in enforcing the provisions of this act.

Executive
agent has
power to
execute
warrants, etc.

SEC. 9. No person shall at any time or in any manner acquire any property in or subject to his dominion or control, any of the birds, animals or fish or any part thereof within this state of the kinds herein mentioned, but they shall always and under all circumstances be and remain the property of this state; except, that by killing, catching or taking the same in the manner and for the purposes herein authorized, and during the periods when their killing is not herein prohibited, the same may be used by any person at the time, in the manner and for the purposes herein expressly authorized; and whenever

Birds, ani-
mals or
fish prop-
erty of
state.

any person kills, catches, takes, ships or has in his possession, or under control, any of the birds, animals or fish, or any part thereof, mentioned in this act at a time or in a manner prohibited by this act, such person shall thereby forfeit and lose all his right to the use and possession of such bird, animal or fish, or any part thereof, and the state shall be entitled to the sole possession thereof.

Nests
or eggs
of birds.

SEC. 10. No person shall at any time take or have in possession or under control, break up or destroy, or in any manner interfere with any nest, or the eggs of any of the kinds of birds, the killing of which is at any or all times herein prohibited.

Violation
of section.

Any person offending against any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than one hundred (100) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than ninety (90) days for each and every offense.

SEC. 11. No person shall at any time catch, take or kill any of the birds or animals which are by this act permitted to be caught, taken or killed, in any other manner than by shooting them with a gun held to the shoulder of the person discharging the same.

Penalty
for violation.

Whoever offends against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than ninety (90) days for each and every bird or animal so caught, taken or killed.

Prohibited
from setting
snare, etc.

SEC. 12. No person shall at any time set, lay, prepare or have in possession any trap, snare, artificial light, net, bird lime, swivel gun or set gun or any contrivance whatever for the purpose of catching, taking or killing any of the birds in this act mentioned, except that decoys and stationary blinds may be used in hunting wild geese, brant and ducks.

Punish-
ment.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than one hundred (100) dollars, and costs of prosecution, or by imprisonment in

the county jail for not less than ten (10) days nor more than ninety (90) days, for each and every offense.

SEC. 13. No person shall at any time hunt with or shoot from any boat, canoe or contrivance or device whatever on any of the waters in this state between dark and daylight, and no person shall at any time make use of, hunt with or shoot from any floating battery, sink boat, sunken barrels, boxes, tubs, floating blinds or any similar device whatever on any of the waters in this state.

Not hunt
or shoot
between
dark and
daylight.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than one hundred (100) dollars, and cost of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than (90) days, for each and every offense.

Punish-
ment.

SEC. 14. No person shall hunt, pursue, catch, take or kill any of the animals in this act mentioned, with dog or dogs.

Dogs not
permitted.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than ninety (90) days, for each and every offense.

Punish-
ment.

Any dog or dogs used or attempted to be used in violation of any provision of this section is hereby declared to be and is a public nuisance, and it shall be lawful for any person to kill or attempt to kill any dog or dogs so being used or attempted to be used.

SEC. 15. No person shall at any time enter into any growing or standing grain not his own with intent to catch, recover, take or kill any bird, animal or fish, nor permit any dog with which he shall be hunting to do so for such purpose without permission from the owner or person in charge thereof. No person shall at any time enter upon any land not his own with intent to catch, recover, take or kill any bird, animal or fish after being notified by the owner or occupant thereof not to do so.

Prohibited
from
trespass.

Such notice may be given orally or by posting written or printed notices to that effect, in the English language, in conspicuous places on the land so protected, and no person shall in any manner destroy any sign so posted. Any person offending against any of the provisions of

Posting
of notice.

Penalty.

this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five (5) dollars nor more than ten (10) dollars and costs of prosecution, or by imprisonment in the county jail for not less than five (5) days nor more than ten (10) days, for each and every offense.

Ownership of land not affected.

Nothing in this section contained, however, shall be construed as to limit or in any manner affect the remedy of the owner or occupant of any such lands or grain at common law or under the statutes of this State for trespass.

Shall not have in possession.

SEC. 16. No person shall at any time have in his possession or under his control within this state any bird, animal or fish or any part thereof which has been caught, taken or killed outside of this state at a time when it is unlawful to have in possession or under control such birds, animals or fish or parts thereof if caught, taken or killed in this state.

Penalty.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than ninety (90) days for each and every such bird, animal or fish or any part thereof had in his possession or under his control.

Possession prima facie evidence.

SEC. 17. The possession or having under control by any person or persons within this state of any bird, animal or fish or any part of any bird, animal or fish, the killing of which is at any time herein prohibited, shall be prima facie evidence that it was the property of this state at the time it was caught, taken or killed, and that it was caught, taken or killed in this state; to disprove which it shall be necessary to show by testimony of the party who actually caught, took or killed the same, that at the time it was caught, taken or killed it was caught, taken or killed outside of the state.

Shall not apply to hides shipped from within state.

The provisions of this act in regard to the shipping and having in possession of the hides of any moose, deer, or caribou or the hides of any fur-bearing animals shall not apply to any of the hides which have been shipped from a point outside of this state, nor to any manufactured article made in whole or in part of any hides or furs, whether obtained within this state or from another

state or from any foreign country, nor to any raw or dressed furs obtained in this state; *provided*, that the shipping by mistake or ignorance of one or more moose, deer, caribou or elk skins during the close season with other goods or hides the shipping or possession of which is not unlawful or in violation of this act, shall not render such other goods or hides subject to seizure or confiscation under the provisions of this act.

The use of the words fur or fur-bearing animals as used in this section shall not apply to moose, deer, caribou or elk or the skin of any moose, deer, caribou or elk.

SEC. 18. All fish nets had or maintained in any of the waters of any lake, pond or stream in this state, for the purpose of catching, taking, killing, deceiving or attracting any fish contrary to any of the provisions of this act, are hereby declared to be and are a public nuisance, and it shall be the duty of all of the members of the board of game and fish commissioners, all game wardens, sheriffs and their deputies, constables and police officers of this state, to take, seize, abate, dispose of or destroy any and all of the same used, had or maintained as aforesaid. And no liability shall be incurred to the owner or any other person for such seizure, abatement, disposition or destruction thereof, and said board of game and fish commissioners, and all wardens and other officers or persons, shall be released from all liability to any person or persons whatsoever for acts done or committed or property seized, abated, disposed of, or destroyed under and by virtue of this section.

Fish
nets.

Public
nuisance
in certain
cases.

SEC. 19. Any bird, animal, fish, or any part of any bird, animal or fish, mentioned in this act caught, killed, shipped or had in possession or under control contrary to any of the provisions of this act is hereby declared to be and shall be contraband; and it shall be the duty of all members of the board of game and fish commissioners, all game wardens, sheriffs and their deputies, constables and police officers of this state, to seize and take possession of any and all birds, animals or fish or any part of any bird, animal or fish, which have been caught, taken, killed or had in possession or under control or shipped contrary to any of the provisions of this act. Any court having jurisdiction to try any person for any offense committed under this act may, upon receiving proof of probable cause for believing in the concealment of any

Declared
to be con-
traband.

Shall issue
search
warrant.

Officers
shall report
facts.

Donated to
charitable
institutes.

Authorized
to exchange
with other
states.

Penalty for
violation.

bird, animal, fish, or any part of any bird, animal, or fish; caught, taken, killed or had in possession or under control by any person or shipped by any person contrary to the provisions of this act, shall issue a search warrant and cause a search to be made in any place for any such birds, animals, fish, or any part of any such bird, animal, or fish; and to that end may cause any building, inclosure or car to be entered, and any apartment, chest, box, locker, crate, basket, package, or any other receptacle whatever to be broken open and the contents thereof examined. All such officers taking or seizing any such birds, animals, or fish, or any part of any such bird, animal, or fish, shall at once report all the facts attending the same to the board of game and fish commissioners of this state.

SEC. 20. Any bird, animal, fish, or any part of any bird, animal, or fish, caught, taken, killed, had in possession or under control, or shipped contrary to any provisions of this act which shall come into the possession of the board of game and fish commissioners of this state, shall be donated by the board to the various charitable institutions within this state for the use of the inmates thereof as food only.

SEC. 21. The board of game and fish commissioners of this state upon application from the board of game and fish commissioners of any other state, are authorized and empowered to obtain and secure alive, specimens of the game birds, animals and fish of the State of Minnesota, and to sell or exchange and ship such specimens to such board of game and fish commissioners to any point outside of the State of Minnesota; but such specimens shall only be used for breeding or for propagation of the same species.

SEC. 22. The word person, as used in this act, shall include all individuals, firms, joint stock companies, corporations and all combinations, thereof, and the word possession, as used in this act, shall include both actual and constructive possession.

The word animal, as used herein, shall not include any variety of birds.

SEC. 23. Any attempt to violate any of the provisions of any section of this act shall be deemed a violation of such provision, and any person attempting to violate any of the provisions of any section of this act shall be

guilty of a misdemeanor, or upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than fifty (50) dollars and cost of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than sixty (60) days for each and every offense.

SEC. 24. In any prosecution or judicial proceeding under any of the provisions of this act any participant in any violation thereof may testify as a witness against any other person violating the same without incriminating himself by so doing; nor shall the evidence so given by him be used in any criminal proceeding against him for such violation.

May testify
without
incriminat-
ing self.

SEC. 25. All prosecutions under this act shall be commenced within two (2) years from the time the offense was committed.

Within
two years.

SEC. 26. It is hereby made a part of the official duty of every county attorney, sheriff, constable or other peace officers, to enforce the provisions of this act.

SEC. 27. The powers conferred and duties imposed on the board of game and fish commissioners and the game wardens herein shall extend to and include all the territory and waters subject to the jurisdiction of this state.

Powers
of commis-
sion and
wardens.

SEC. 28. Whoever shall resist or obstruct the executive agent of said board, or any member thereof, or any warden or other officers of this state, in the discharge of his duties under this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than sixty (60) days nor more than ninety (90) days, for each and every offense.

Resistance
of executive
agent pun-
ishable.

SEC. 29. Certificates may be granted by the board of game and fish commissioners to any member of any incorporated society of natural history or other scientific body organized for the study of natural history, or to any properly accredited person whom such society may designate, permitting the holder of such certificate to collect, for scientific purposes only, the nests, eggs, birds, animals or fish protected by this act. No person to whom such certificate may be issued shall dispose of any such

Certificates
may be
granted.

specimens secured by gift or otherwise except by exchange of specimens for scientific purposes only.

Applicants
must file
written ap-
plication.

In order to obtain such certificate the applicant for the same must present to and file with the board of game and fish commissioners written testimonials from two well-known scientific men, certifying to the good character and fitness of the applicant to be intrusted with such privilege, and a properly executed bond in the sum of one hundred (100) dollars, signed by two (2) responsible freeholders of this state as sureties conditioned for the faithful compliance by the applicant with all the provisions of this act, and shall pay said board upon the issuance of such certificate the sum of two (2) dollars. This bond shall be forfeited to the state and such certificate becomes void upon the conviction of said applicant of a violation of any of the provisions of this act.

Fee of
\$2.00.

Such certificate shall be in force and effect for one (1) year only from the date of its issue and shall not be transferable.

Whoever shall violate any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of fifty (50) dollars, or by imprisonment in the county jail for sixty (60) days, or both.

Fishways.

SEC. 30. All fishways heretofore or hereafter erected in any dam or obstruction across any of the streams of this state shall at all times be under the supervision and control of the board of game and fish commissioners.

It shall be the duty of any corporation, person or persons, who now own or control or hereafter may erect, own or control any dam or other obstruction across any of the rivers, creeks, streams or other water courses within or running through this state, to construct in connection with such dam or dams, durable and efficient fishways, so that the free passage of the fish up and down such waters may not be obstructed.

Maintained
by owner
of dam.

All such fishways shall be maintained and kept in good repair by the person so owning, controlling, operating or using any dam or any obstruction as aforesaid, so that said fishways shall at all times be open and free from obstructions for the passage of fish.

Refusal to
construct
fishway.

In case the owners or person controlling or operating or using any dam or obstruction aforesaid shall fail or refuse, after ten days' written notice by the board of game

and fish commissioners of this state, to construct and keep in good repair durable and efficient fishways as provided in this act, then said board of game and fish commissioners may construct or cause to be constructed durable and efficient fishways, or place the same in good repair, and the cost thereof may be recovered by the board of game and fish commissioners from the owner or any person in control thereof in a civil action before any court having jurisdiction.

Any person owning or controlling any such dam or other obstruction who shall fail or refuse to comply with any of the provisions of this section with respect to the construction and maintenance of such fishways in any such dam, or other obstruction after having been given ten (10) days' written notice by the board of game and fish commissioners to construct or repair the same, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof be punished by a fine of not less than five (5) dollars nor more than twenty-five (25) dollars and cost of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days for each and every day after the expiration of said notice that he shall neglect and refuse to do so.

Penalty
for violation.

Every owner or person controlling any dam or obstruction in or in connection with which any fishway has been built as provided for in this act, and to the satisfaction and approval of said board, may obtain from said board a certificate that said fishway is constructed in compliance with this act, which certificate while in force shall be a full protection against any prosecution under this section. Such certificate may be suspended at any time by said board when said fishway is not maintained or kept in repair as herein required. If any person so owning or controlling any dam or obstruction shall fail to construct such fishway to the satisfaction of said board it shall be prima facie evidence of a violation of this section.

Certificate
full protection to
owner.

SEC. 31. Any person who deposits any sawdust or other refuse in any stream or water wherein the said board have deposited or shall deposit fry, or wherein brook trout naturally abound, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than sixty

Sawdust
or refuse
in streams.

(60) days nor more than ninety (90) days, for each and every offense.

SEC. 32. Nothing in this act contained, however, shall be construed to in any way prevent the taking of spawn of any kind and at any time from any of the inland waters of this state by the United States fish commission or its duly accredited agents.

Fines to
be deposited
in county
treasury.

SEC. 33. All fines collected under any of the provisions of this act shall be paid into the county treasury of the county wherein the conviction was had, to the credit of the general county fund.

SEC. 34. All moneys recovered or any bond given to or contract made with the board of game and fish commissioners or received by them from licenses, or from other sources under any provision of this act shall be paid into the state treasury to be used for the purpose of carrying on and enforcing the provisions of this act.

Reward
for arrest
and con-
viction.

SEC. 35. Said board is hereby authorized to offer and to pay over out of any moneys subject to their order a reward of ten (10) dollars for the arrest and conviction of any person for the violation of any provision of this act, such reward to be paid to the person making the complaint in the case wherein the conviction was had, upon his furnishing to said board a certified copy of the docket of the justice of the peace before whom the person found guilty of said offense has been convicted; *provided*, that the person found guilty of such violation shall have been sentenced to pay a fine amounting to the sum of ten (10) dollars or more, which sum shall have been paid by the person so fined to the justice before whom the conviction was had and by him paid into the county treasury of the county wherein the conviction was had; *provided*, that this section shall not apply to game wardens regularly employed under pay, by the board of game and fish commissioners.

SEC. 36. The provisions of this act shall not apply to domesticated birds or animals, or to trout grown in private hatcheries. *Provided, however*, that in any prosecution for any violation of any of the provisions of this act it shall not be necessary for the prosecution to allege or prove that the birds or animals were not domesticated or that the trout were not grown in a private hatchery, or that the birds, animals or fish were not taken for scientific purposes, but the person claiming that such birds or ani-

mals were domesticated, or the trout were grown in a private hatchery, or that the said birds or animals were taken for scientific purposes as herein provided, shall prove on the hearing or trial that such birds or animals were domesticated, or that such trout were grown in a private hatchery, or that such birds or fish were taken for scientific purposes, as by law provided.

SEC. 37. In making appointments under this act preference shall always be given to honorably discharged soldiers of the Union army.

Preference
to old
soldiers.

SEC. 38. Any person who is a resident of this state and is legally in possession of any of the birds or animals or any part of any of the birds or animals herein mentioned, which have been caught, taken or killed at a time or in a manner permitted by the provisions of this act, and who is desirous of retaining possession of the same for his own use after the time in this act limited when they may be had in possession, and who shall, before the expiration of the time in this act limited within which they may be had in possession, make application to the board of game and fish commissioners for leave to retain the same, which application shall be in writing and signed or sworn to by the applicant, and shall state:

May retain
possession
of birds
and animals
after time
specified.

First—The name and residence of the person in possession of such birds or animals, or parts thereof.

Second—The number, kind and location of said birds or animals or parts thereof, which number shall not exceed fifty (50) turtle dove, prairie chicken, pinnated, white-breasted or sharp-tailed grouse, quail, partridge, ruffed grouse or pheasant, woodcock, upland plover or golden plover or any or all of the same combined; or one hundred (100) snipe, wild duck, goose, brant, or any variety of aquatic fowl whatever, or any or all of the same combined; three (3) deer, or the parts thereof, one (1) male moose, or the parts thereof, and one (1) male caribou, or the parts thereof, for each applicant.

Method.

Third—That if permitted to retain the same by said board the applicant will keep in possession of said birds and animals for his own use, and will not ship, sell or dispose of the same.

If said board is satisfied that said application is made in good faith and said applicant will keep said birds and animals and parts thereof for his own use and not for sale, the said board shall cause tags or seals which shall not be

Tags or
seals.

duplicated by others, and which shall not be removed, to be attached to each bird and animal or parts thereof, not exceeding fifty (50) turtle dove, prairie chicken, pinnated, white-breasted or sharp-tailed grouse, quail, partridge, ruffed grouse or pheasant, woodcock, upland plover or golden plover or any or all of the same combined; or one hundred (100) snipe, wild duck, goose, brant or any variety of aquatic fowl whatever, or any or all of the same combined; three (3) deer, or the parts thereof; one (1) male moose, or the parts thereof, and one (1) male caribou, or the parts thereof, for each applicant.

Payment of
expense.

The person making such application shall, before said tags or seals are attached, pay to said board the reasonable expense of making and attaching such tags and seals.

After such tags or seals have been so attached as aforesaid by said board, and the person who made such application keeps possession of such birds or animals or parts thereof for his own use, and does not ship, sell or dispose of the same, or any part thereof, and such tags or seals remain upon said birds and animals and parts thereof, he may retain possession of such birds and animals or parts thereof until consumed; *provided*, that nothing in this section contained shall prevent a person from disposing of, as a gift, any of the birds, animals or fish mentioned herein.

Penalty for
violation.

Any person who shall destroy or duplicate any tag or seal attached to any bird or animal or part thereof, or who shall ship, sell or dispose of any bird or animal, or any part thereof, which has been tagged or sealed as aforesaid, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five (25) dollars, nor more than fifty (50) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) days nor more than sixty (60) days, for each and every bird or animal or part thereof, so shipped, sold or disposed of.

Must ob-
tain license.

SEC. 39. Every person who is a bona fide resident of this state and who desires to hunt, take, kill or have in possession any of the game animals of this state, must first obtain a license therefor of the county auditor of the county wherein the person resides, and said license shall be issued by the county auditor under seal, upon blanks furnished him by the board of game and fish commissioners.

Said license shall certify that the licensee is a bona-fide resident of the state of Minnesota, and shall contain a description of the licensee and shall grant to the licensee permission to hunt, take, kill or have in possession any of the game animals of this state at the time and in the manner not prohibited by this act.

Must be
bona-fide
resident
of state.

Every applicant for such license must prove to the satisfaction of the county auditor issuing such license that he is a bona-fide resident of this state, and he shall give his residence and postoffice address.

All licenses shall expire on the thirty-first day of December next after their issuance, and not more than one license shall be issued to the same person in any one year and shall be non-transferable.

Every applicant for such license must, upon applying for the same, pay to the county auditor the sum of one (1) dollar, of which amount ten (10) cents shall be retained by the county auditor as his fee for issuing such license, and the balance shall be deposited by the county auditor in the state treasury to be used for the purpose of carrying on and enforcing the provisions of this act.

Fee for
license.

Any license issued to any person according to the provisions of this section shall be at all times subject to the inspection of any person who may demand to see or inspect such license.

The license so issued to any resident of this state shall have attached thereto five (5) coupons, each coupon to be divided into two (2) sections, lettered "A" and "B" respectively. Any resident of this state who is lawfully the holder of a coupon license duly issued to him as provided for by this section shall be entitled to ship from himself to himself from any point in this state to any point in the county wherein such license was issued, three (3) deer or any part thereof, one (1) male moose or any part thereof and one (1) male caribou or any part thereof, according to the following provisions, and during the time when it is lawful to have such animals in possession: three (3) of the coupons may be used for the purpose of shipping three (3) deer or any part thereof, one (1) of the coupons may be used for the purpose of shipping one (1) male moose or any part thereof, and one (1) of the coupons may be used for the purpose of shipping one (1) caribou or any part thereof. Each coupon shall state thereon the kind of animal which may be shipped there-

Privileges
granted by
license.

under, such coupon to be used for shipping only those animals named on such coupon.

Must be
shipped
openly.

Every animal or part thereof shipped according to the provisions of this section must be shipped openly and not concealed in any trunk, box, bag, sack, can or other receptacle whatsoever, and must have attached thereto a card or tag on which must be plainly printed or written the name of the person shipping the same, the name of the place from where the animal was shipped, the destination of the shipment and the name of the person to whom the animal was shipped.

Common
carriers.

The agent of the transportation company or common carrier who receives the animal or parts thereof for shipment shall detach section "A" of the coupon on which the same is to be shipped and forward said section to the office of the board of game and fish commissioners of this state at St. Paul, Minnesota. Section "B" is to be attached to the animal or part thereof received for shipment and the two sections of the coupon must be cancelled by the receiving agent, with the date of reception for shipment and his initials written or stamped plainly thereon in ink.

While in transit section "B" of the coupon must be on the animal or part thereof, or the said animal or any part thereof shall be subject to seizure as contraband game.

Within
two days.

The receiving agents and employes of transportation companies or common carriers who are required to transmit to the board of game and fish commissioners said section "A" of the coupon, as herein required, must so transmit the same within two (2) days of the date of shipment.

Penalty
for viola-
tion of
section.

Any agent, servant or employe of any transportation company or common carrier who shall receive for shipment or ship any animal or any part thereof without having the coupon attached as herein provided or who shall refuse or neglect to detach section "A" of the coupon as herein provided, or who shall fail to transmit or forward to the board of game and fish commissioners of this state as herein provided the section by him detached shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for

not less than sixty (60) days nor more than ninety (90) days for each and every offense.

Any person, transportation company or common carrier who shall ship, cause to be shipped, receive for shipment, carry or deliver any deer or any part thereof, any moose or any part thereof, or any caribou or any part thereof, in any other manner than provided for by this section, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than sixty (60) days nor more than ninety (90) days for each and every offense.

Provided, however, that nothing in this act contained shall be deemed to prevent any resident of this state from carrying with him on any train or conveyance any game birds or fish which may be legally in his possession, and any common carrier is hereby permitted to carry any such game birds or fish when the same is accompanied on the same train or conveyance by the person who is legally in possession of the same.

May carry
game on
trains.

SEC. 40. Any resident of this state who shall hunt, take, kill, ship, cause to be shipped, or have in possession, any of the game animals of this state or any part thereof, without being, at the time of such hunting, taking, killing, shipping or having in possession, in the possession of a resident license duly issued to him as provided for by this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars, or by imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days for each and every offense.

Penalties.

SEC. 41. Every person who is not a resident of this state, and who desires to hunt, take, kill or have in possession any of the game birds or animals mentioned in this act must first obtain a license therefor of the board of game and fish commissioners of this state, and said license shall be issued by the board of game and fish commissioners under seal and upon blanks furnished by said board.

License for
non-residents.

Each license shall certify that the licensee is a non-resident of this state, shall contain a description of said licensee and shall grant permission to him to hunt, take, kill or have in possession game birds or animals of the

state at the time and in the manner not prohibited by this act.

Every applicant for such license shall upon applying for the same state his occupation, residence and postoffice address. All licenses shall expire on the 31st day of December next after their issuance, and not more than one license shall be issued to the same person in any one year, and shall be non-transferable.

Any license issued to any person according to the provisions of this section shall be at all times subject to the inspection of any person who may demand to see or inspect such license.

Fee of
\$25.00.

Every applicant for such license must upon applying for the same pay to the board of game and fish commissioners of this state the sum of twenty-five (25) dollars for a license to hunt big game, and the sum of ten (10) dollars for a license to hunt small game, and the said amounts when paid shall be deposited by the board of game and fish commissioners in the state treasury to be used for the purpose of carrying on and enforcing the provisions of this act.

Coupons.

The license so issued to any non-resident of this state to hunt big game shall have attached thereto four (4) coupons, and the license so issued to any such non-resident to hunt small game shall have attached thereto one (1) coupon. Each of said coupons shall be divided into three (3) sections lettered "A," "B" and "C" respectively.

Non-resi-
dents may
ship be-
yond bor-
ders of
state.

Any such non-resident who is lawfully the holder of a license to hunt big game duly issued to him as provided for by this section shall be entitled to ship beyond the borders of this state, from himself to himself, to his place of residence, two (2) deer, or any part thereof, one (1) male moose, or any part thereof, and one (1) male caribou, or any part thereof according to the provisions of this section, and during the time when it is lawful to have such animals in possession in this state, and any such non-resident who is lawfully holder of a license to hunt small game, duly issued to him, as provided for by this section, shall be entitled to ship beyond the borders of this state, from himself to himself, to his place of residence, any game birds not to exceed twenty-five (25) in number, according to the provisions of this section, and during the time when it is lawful to have such birds in possession in

Quantity
limited.

this state. Two of the coupons attached to the license to hunt big game may be used for the purpose of shipping two (2) deer, or any part thereof, and one of said coupons may be used for the purpose of shipping one (1) male moose, or any part thereof, and one of the same may be used for the purpose of shipping one (1) male caribou, or any part thereof, as herein provided; and the coupon attached to said non-resident license to hunt small game may be used for the purpose of shipping game birds, not to exceed twenty-five (25) in number, as provided in this section.

Each coupon shall state thereon the kind of animal or birds which may be shipped thereunder, such coupon to be used for shipping only those animals or birds named on such coupon. Every animal or part thereof, and all birds shipped according to the provisions of this section must be shipped openly and not concealed in any trunk, box, barrel, bag, sack, can, or other receptacle whatever, and must have attached thereto a card or tag on which must be printed or written plainly the name of the person shipping the same, the name of the place from where the animals or birds were shipped, the destination of the shipment, and the name of the person to whom the animals or parts thereof, or the birds are shipped.

Kind of
animals or
birds des-
ignated.

The agent of the transportation company or common carrier who receives the animals, or parts thereof, or the birds, for shipment, shall detach section "A" of the coupon on which the same is to be shipped and forward the same to the office of the board of game and fish commissioners of this state, at St. Paul, Minnesota.

Section "B" and "C" are to be attached to the animals or parts thereof, or the birds received for shipment, and the three (3) sections of the coupon must be cancelled by the receiving agent with the date of reception for shipment and his initials written or stamped plainly thereon in ink.

While in transit within this state sections "B" and "C" of this coupon must be on the animal or part thereof, or the birds, or the said animals, or any part thereof, or the birds, shall be subject to seizure as contraband game.

Tag must
be on
animal.

If the place of delivery of the said animals, or parts thereof, or said birds, is within the State of Minnesota the delivering agent of the common carrier or transportation company shall, before the delivery to the consignee

Must
transmit
within
two days.

detach section "C" of the coupon and forward said section to the office of the board of game and fish commissioners of the State of Minnesota, at St. Paul, Minnesota, leaving section "B" attached to the animal, or parts thereof, or the birds. The receiving and delivery agents and employes of common carriers and transportation companies who are required to transmit to the board of game and fish commissioners sections of coupons as herein required must so transmit the same within two (2) days of the date of shipment or delivery respectively.

If the animal, or part thereof, or the birds, shall be consigned to a point outside the State of Minnesota, the agent, servant or employe of the transportation company or common carrier who shall be in charge of the animal, or part thereof, or the birds, while in transit in this state, shall detach section "C" of the coupon and deliver the same to the agent, servant or employe of the transportation company or common carrier at the last station or place in this state where the train or other conveyance of the said transportation company or common carrier shall stop; and it shall be the duty of said agent, servant or employe of the transportation company or common carrier to whom said section of the coupon is delivered to immediately forward the same to the office of the board of game and fish commissioners of this state at St. Paul, Minnesota, after writing or stamping thereon in ink the name of the station or place and date of reception thereof of said section of said coupon.

Penalty
for violation.

Any agent, servant or employe of any transportation company or common carrier who shall receive for shipment or ship any animal or any part thereof or any bird or birds, without having the coupons or sections of coupons attached thereto as herein provided, or who shall refuse or neglect to detach the sections of the coupons as herein provided, or who shall fail to transmit or forward to the office of the board of game and fish commissioners of this state, as herein provided, the section by him detached, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than sixty (60) days nor more than ninety (90) days for each and every offense.

Any person, transportation company or common car-

rier who shall ship, cause to be shipped, receive for shipment, carry or deliver any deer or any part thereof, any moose or any part thereof, any caribou or any part thereof, or any bird or birds, in any other manner than provided for by this section, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than sixty (60) days nor more than ninety (90) days for each and every offense.

SEC. 42. Any non-resident of this state who shall hunt, take, kill, ship, cause to be shipped or have in possession any of the game birds or animals of this state without being at the time of such hunting, taking, killing, shipping or having in possession, in the possession of a non-resident license duly issued to him as provided for by this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than fifty (50) dollars or more than one hundred (100) dollars or by imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days, for each and every offense.

Misdemeanor.

SEC. 43. Any person who shall violate any of the provisions of this act and who is not at the time of such violation, in the possession of a license duly issued to him as in this act provided, shall upon being convicted of such violation, forfeit such license to the State of Minnesota and such person shall deliver to the court before whom he was tried any such license in his possession and the court shall forward the same to the board of game and fish commissioners of this state.

Persons violating act shall forfeit license.

SEC. 44. No person shall catch, take, kill, ship or cause to be shipped to any person within or without the state, purchase, offer or expose for sale, sell to any one, have in possession with intent to sell, or have in possession or under control at any time, living or dead, any wild bird other than a game bird, nor any part of the plumage, skin or body thereof. And for the purposes of this act the following only shall be considered game birds:

The anatidae, commonly known as swans, geese, brant, river and sea ducks, the linicolae, commonly known as plovers, snipe and woodcock, the gallinae, commonly known as grouse, prairie chickens, pheasants, partridges

Description of game birds affected by act.

and quail; *provided* that blackbirds, crows, English sparrows, sharp-shinned hawks, coopers hawks, and great horned owls may be killed and had in possession at any time; but nothing herein contained shall be construed to prevent the keeping of song birds as domestic pets.

Penalty.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than twenty-five (25) dollars, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days, for each and every bird so caught, taken, killed, shipped or caused to be shipped to any person either within or without the state, purchased, sold to any one, had in possession with intent to sell, offered or exposed for sale, or had in possession or under control.

Open season for birds.

03 c 336	
§ 45	
93-M -	148
100-NW -	647
96-M -	46
104-NW	719

SEC. 45. No person shall catch, take, kill, ship, or cause to be shipped to any person either within or without the state, expose for sale, sell to any one, have in possession with intent to sell, or have in possession or under control, at any time any turtle dove, snipe, prairie chicken, pinnated, white breasted or sharp tailed grouse, quail, partridge, ruffed grouse, pheasant, woodcock, golden plover, upland plover, mongolian, Chinese or English pheasant, wild duck of any variety, wild goose of any variety, brant, or any variety of aquatic fowl whatever; except, that any turtle dove, snipe, prairie chicken, pinnated, white breasted or sharp tailed grouse, woodcock, upland plover and golden plover may be killed and had in possession between the first day of September and the first day of November following, and except that any quail, partridge, ruffed grouse or pheasant may be killed and had in possession between the fifteenth day of October and the fifteenth day of December following; and except that wild duck of any variety, wild goose of any variety, brant or any variety of aquatic fowl whatever may be killed and had in possession between the first day of September and the first day of December following.

September to November.

May retain possession for five days.

And when any of the birds mentioned in this section have been lawfully caught, taken, killed or had in possession within the time herein allowed, they may be had in possession for five days after the time herein allowed. But no person shall in any one day take or kill more than twenty-five (25) birds or have in his possession at any

time more than fifty (50) turtle dove, prairie chicken, white-breasted or sharp-tailed grouse, quail, partridge, ruffed grouse or pheasant. woodcock, upland plovers or golden plovers, or any or all of the same combined; or one one hundred snipe, wild duck, goose, brant, or any variety of aquatic fowl whatever, or any or all of the same combined.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than twenty-five (25) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days for each and every bird, so caught, taken, killed, shipped, caused to be shipped to any person either within or without the state, sold to any one, had in possession with intent to sell, exposed for sale, or had in possession or under control.

Penalty for violation.

SEC. 46. Any non-resident of this state who is desirous of taking any fish beyond the borders of this state for his own use and not for the purpose of sale, may carry with him on the same train or conveyance not to exceed fifty (50) pounds of fish, *provided*, that the fish so carried have been legally caught by the person carrying the same, and his name, address and destination of said fish are printed or written plainly on a card or tag, which card or tag must be attached to the fish so carried.

Must be legally caught.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars, or by imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days for each and every offense.

Penalty.

SEC. 47. No person shall hunt, catch, take, kill, ship or caused to be shipped to any person, either within or without the state, expose for sale, have in possession with intent to sell, sell to any person or have in possession or under control, at any time, any elk, moose, caribou, deer or fawn, or any part thereof, including the flesh, head, hide, horns, feet or bones, except as hereinafter provided. *Provided*, that deer may be killed between November 10th and November 30th of the same year, and any deer or any part thereof, including the flesh, head, hide, horns,

Open season for deer Nov. 10 to Nov. 30.

Open
season
for moose
and caribou
Nov. 10 to 30.

May retain
possession
for five
days.

Penalty for
violation.

Fur
animals.

feet and bones, may be had in possession by any person during the said time; but no person shall kill or have in possession during said time more than three deer, or parts thereof, including the flesh, head, hide, horns, feet and bones; and *provided further*, that any person who is lawfully in possession of any deer or any part thereof, including the flesh, head, hide, horns, feet and bones, may ship or cause the same to be shipped in the manner provided for by this act, but not otherwise; and *provided further*, that male moose and male caribou may be killed between November 10th and November 30th of the same year, and any male moose and male caribou, or any part thereof, including the flesh, head, hides, horns, feet and bones, may be had in possession by any person during the time aforesaid; but no person shall kill or have in possession during said time more than one male moose and one male caribou, or parts thereof, including the flesh, head, hide, horns, feet and bones; and *provided further*, that when any deer, male moose, or male caribou, or any part thereof, including the flesh, head, hide, horns, feet and bones, are lawfully in the possession of any person as provided for in this act, such person may continue in the possession of the same for five days after the time herein limited for killing said animals.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars, nor more than one hundred (100) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days, for each and every elk, moose, caribou, deer or fawn, or any part thereof, including the flesh, head, hide, horns, feet and bones, so hunted, caught, taken, killed, shipped or caused to be shipped, to any person either within or without the state, exposed for sale, had in possession with intent to sell, sold to any person, or had in possession or under control.

SEC. 48. No person shall catch, take or kill any mink, muskrat, otter or beaver between the first day of May and the first day of November following. *Provided*, that when any of the animals mentioned in this section are doing damage to or destroying any property the person whose property is being damaged or destroyed may kill them at any time.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than twenty-five (25) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days, for each and every mink, muskrat, otter or beaver caught, taken or killed contrary to any of the provisions of this section. Penalty.

SEC. 49. No person shall at any time catch, take or kill any fish in any waters in this state in any other manner than by angling for them with a hook and line held in the hand or attached to a rod or pole held in the hand, and no person shall at any time angle for any fish in any of the waters in this state with more than one line or with more than one hook attached to such line; and no person shall have in his possession at any time any fish caught, taken or killed in any of the waters of this state, in any other manner than as herein provided. Method for catching fish.

Provided, that pickerel, suckers, red-horse, carp and bullheads may be taken with a spear between the fifteenth day of March and the first (1st) day of May following. Exceptions.

Provided further, that the board of game and fish commissioners may give a written permit to any responsible person, a resident of this state, to ship fish commonly known as bullheads, out of the state, upon such reasonable conditions as they may adopt.

Provided, that in all of the inland lakes in this state a net may be used for the purpose of taking and catching whitefish or trelipies from November 10th to December 10th of the same year. Said net shall not exceed two hundred (200) feet in length and four (4) feet in width, and the meshes of said net shall not be less than three and one-half inches in size of mesh when the same is extended. When nets may be used.

Any person desiring to use any such net shall first make application for a permit to use such net to the board of game and fish commissioners of this state. Said application must be in writing and shall state that the said net is to be used by them for the purpose of obtaining fish for their own domestic use and not for the purpose of sale, which application shall be accompanied by a fee of one (1) dollar for each net, but no person shall be permitted to use more than two (2) of such nets. Must make application for license.

Any person selling or shipping to any one, any fish

Penalties
for violation.

caught, taken or killed with any net aforesaid, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than twenty-five (25) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days, for each and every fish so sold or snipped; and *provided further*, that a net for the purpose of catching minnows for bait may be used in all the waters in this state uninhabited by any variety of trout; and *provided further*, that a pound net, seine or dip net may be used in the Mississippi River from the Falls of St. Anthony to a point one thousand (1,000) feet above the mouth of the St. Croix River for catching sturgeon, red horse, dog fish, buffalo fish, cat fish, pickerel and suckers, but no such net or seine shall be used within a distance of one thousand (1,000) feet from the mouth of any stream, and that the said pound net shall not exceed seventy-five (75) feet in length, and the length of such seine shall not exceed one hundred and fifty (150) feet. The meshes in said net or seine shall not be less than two and one-half (2½) inches in the bar and five inches when the same is extended; and before any such pound net or seine is used, the person desiring to use the same shall first make application therefor to the board of game and fish commissioners of this state for permission to use such net or seine, which application shall state the name of the person and the place where the applicant desires to use the same, and which application shall be accompanied by a fee of five (5) dollars for every net desired to be used.

Character
and size
of nets
permitted.

Board may
issue
permits.

The board may issue such a permit for the use of such net or seine to such applicant, which permit shall be for one season only. The person to whom such permit or license is issued, shall not change the location of such net or seine without first giving written notice of his intention so to do, to the board of game and fish commissioners, and in such notice describing the place to which he intends to remove his or her net or seine; and *provided further*, that the board of game and fish commissioners of this state are hereby authorized to license the use, in international waters of pound nets of the character and subject to the regulations hereinafter contained and to issue licenses for such use, and when said nets are of the character herein allowed and being used in conformity

Pound
nets in
international
waters.

with this act and the license granted by said board, their use is hereby legalized.

The size of the mesh of the pot or pound of the pound net shall not be less than one and three-quarters ($1\frac{3}{4}$) inches bar measure, or three and one-half ($3\frac{1}{2}$) inches extension measure. Size of mesh.

Said pound nets may be set in strings, but no string of such nets shall exceed three (3) in number and the leads of such nets shall in no case exceed the following lengths: the shore lead eighty (80) rods; and the leads between the pounds or pots fifty (50) rods in length.

Said nets or string of nets shall not be less than twenty-five hundred (2500) feet apart, nor within five hundred (500) feet of the mouth of any stream, and for every ten (10) miles of net set there shall remain an open space of five (5) miles where no net shall be set which five (5) miles space shall be in excess of the twenty-five hundred (2500) feet above mentioned. Any one desiring to use such nets or string of nets shall, before so doing, make written application for such privilege to the board of game and fish commissioners of this state, setting forth therein the name of the applicant, the number of nets desired to be used, with an accurate description in detail of each net, the waters in which it is desired to set them, and a statement of the location of all other nets then in use in such waters situated within five thousand (5000) feet of the place where it is desired to set such nets, which application shall be accompanied by a license fee of twenty-five (25) dollars for each net desired to be used. Restrictions for use of nets.

Said board may issue a license to the applicant, who shall be a citizen of the United States of America. Said license shall not be transferable and shall be good for one (1) fishing season only.

Said license shall permit the use of so many of said nets at the places indicated in said application as the board shall deem for the best interest of the state.

Said board shall retain twenty-five (25) dollars for each net so licensed, and return the balance to the applicant. License of \$25.00.

But said board of game and fish commissioners shall not issue to any one person, firm or corporation, or to any one for the use or benefit of such applicant, a license to use more than fifty (50) nets during a single fishing season, and whenever any two persons, firms or corporations Number of nets to one person limited.

shall apply for a license to fish in the same locality, the priority of such application shall be determined in such manner as such board may designate.

No such license shall be issued authorizing the use of any net or nets in international waters between the first (1st) day of April and the twentieth (20th) day of May during each year, and it shall be unlawful for any person to assist in placing or place any such net during such season.

Applicant
to make
written
report.

Each applicant to whom a license is issued shall make a written report at the end of each fishing season to said board stating the number of nets used, and where used by him, and the amount in number and pounds of each kind of fish taken by him in each net.

A public
nuisance.

Any pound net, seine, or dip net which is being used without a license or any pound net, seine or dip net which is being used in violation of a license issued for its use, is hereby declared to be and is a public nuisance, and it shall be the duty of all the members of the board of game and fish commissioners, game wardens, sheriffs and their deputies, police officers and constables, without warrant or process to take, seize, abate and destroy any and all of the same.

Report
seizures
to board.

It shall also be the duty of said board, game wardens, sheriffs and their deputies, police officers and constables to seize and take any and all fish taken in any such net or seine while being so illegally used and at once report the seizure to said board.

Penalty.

Every person using, aiding or abetting the use of any such net or seine contrary to the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of one hundred (100) dollars or by imprisonment in the county jail for ninety (90) days for each and every net or seine so illegally used.

Dates
when fish
may be
caught.

SEC. 50. No person shall catch, take, kill, or have in possession or under control for any purpose whatever, any of the fish hereinafter mentioned within the periods herein limited, to wit: Any variety of trout, except lake trout, between the first day of September and the 15th day of April following; any black, gray or Oswego bass between the first day of March and the 29th day of May following; any variety of herring between the first day of April and the first day of September following; any

variety of pike, muskallonge, whitefish, croppie, perch, sunfish, sturgeon, lake trout, catfish, or any other variety of fish between the first day of March and the first day of May following; except that pickerel, suckers, bullheads, redhorse and carp may be speared and had in possession between the 15th day of March and the 1st day of May following.

Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than fifty (50) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days for each and every fish so caught, taken, killed or had in possession or under control. Penalty.

SEC. 51. No person shall at any time catch, take or kill any fish in any lake or stream of water within four hundred (400) feet of any fishway, or have in his possession or under his control any fish so caught, taken or killed. Within
400 feet of
fishway.

Whoever shall offend against any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than five (5) dollars nor more than ten (10) dollars and costs of prosecution, or by imprisonment in the county jail for not less than five (5) days nor more than ten (10) days for each and every fish so caught, taken or killed, or had in possession or under control.

SEC. 52. No person shall at any time lay, set, use or prepare any drug, poison, lime, medicated bait, fish berries, dynamite, or any other deleterious substance whatever, or lay, stretch or place any tip-up, trap, snare, set or trout line, or any wire, string, rope or cable of any sort in any of the waters in this state with intent to thereby or therewith catch, take or kill any fish.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than sixty (60) days nor more than ninety (90) days, for each and every offense.

SEC. 53. No person shall erect, have or maintain upon the ice in any of the waters in this state, any fish houses, Fish houses
prohibited.

structure, enclosure or shelter whatever, to protect the person or the occupant while engaged in fishing through the ice.

Penalty.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days, for each and every offense.

Oswego
bass.

SEC. 54. No person shall have in possession for sale, expose or offer for sale or sell to any person any brook trout, or any gray, black or Oswego bass, at any time prior to Jan. 1, 1909.

Penalty.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five (5) dollars nor more than twenty-five (25) dollars and the costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days, for each and every brook trout or black, gray or Oswego bass had in possession for sale, exposed or offered for sale, or sold prior to January 1st, 1909.

SEC. 55. No person shall ship, cause to be shipped or have in possession with intent to ship to any person, either within or without the state, any brook trout, or any black, gray or Oswego bass at any time.

Penalty.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than twenty-five (25) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days, for each and every brook trout, or black, gray or Oswego bass shipped, caused to be shipped or had in possession, with intent to ship to any person, either within or without the state.

Minnows
for bait.

SEC. 56. No person shall at any time catch, take, kill or have in possession or under control for any purpose whatever, any fish, except minnows for bait, that are less than six inches in length.

Any person catching any such fish less than six (6)

inches in length shall at once return the same to the water from which they are taken with as little injury to the fish as possible.

Whoever shall offend against the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five (5) dollars nor more than ten (10) dollars and costs of prosecution, or by imprisonment in the county jail for not less than five (5) days nor more than ten (10) days for each and every fish so caught, taken, killed, had in possession or under control, or not returned to the water with as little injury as possible as soon as caught.

Penalty.

SEC. 57. No person shall set, lay or maintain in the waters of Lake Superior, inside of the three-mile limit, any net for the purpose of catching or taking herring therein, the meshes of which are less than one and three-quarters inches on the bar, or less than three and one-half inches extension measure.

Inside of
three-mile
limit, Lake
Superior.

Whoever shall offend against the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than sixty (60) days nor more than ninety (90) days, for each and every offense.

Penalty.

SEC. 58. No person shall sell, have in possession, with intent to sell or offer for sale, any fish caught in any lake situated partly or wholly within a county in this state that has a population of one hundred and fifty thousand (150,000) or over.

Lake situ-
ated in
counties of
over 150,000
inhabitants.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) days, nor more than ninety (90) days for each and every fish so sold, had in possession with intent to sell or offered for sale.

SEC. 59. No person shall have in possession for sale, offer for sale or sell to any one, or have in possession or under control, for any purpose whatever at any time, any lake trout or whitefish of less than two pounds, round or undressed weight, or one and one-half pounds dressed

Trout or
whitefish.

structure, enclosure or shelter whatever, to protect the person or the occupant while engaged in fishing through the ice.

Penalty.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days, for each and every offense.

Oswego
bass.

SEC. 54. No person shall have in possession for sale, expose or offer for sale or sell to any person any brook trout, or any gray, black or Oswego bass, at any time prior to Jan. 1, 1909.

Penalty.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five (5) dollars nor more than twenty-five (25) dollars and the costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days, for each and every brook trout or black, gray or Oswego bass had in possession for sale, exposed or offered for sale, or sold prior to January 1st, 1909.

SEC. 55. No person shall ship, cause to be shipped or have in possession with intent to ship to any person, either within or without the state, any brook trout, or any black, gray or Oswego bass at any time.

Penalty.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than twenty-five (25) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days, for each and every brook trout, or black, gray or Oswego bass shipped, caused to be shipped or had in possession, with intent to ship to any person, either within or without the state.

Minnows
for bait.

SEC. 56. No person shall at any time catch, take, kill or have in possession or under control for any purpose whatever, any fish, except minnows for bait, that are less than six inches in length.

Any person catching any such fish less than six (6)

inches in length shall at once return the same to the water from which they are taken with as little injury to the fish as possible.

Whoever shall offend against the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five (5) dollars nor more than ten (10) dollars and costs of prosecution, or by imprisonment in the county jail for not less than five (5) days nor more than ten (10) days for each and every fish so caught, taken, killed, had in possession or under control, or not returned to the water with as little injury as possible as soon as caught.

Penalty.

SEC. 57. No person shall set, lay or maintain in the waters of Lake Superior, inside of the three-mile limit, any net for the purpose of catching or taking herring therein. the meshes of which are less than one and three-quarters inches on the bar, or less than three and one-half inches extension measure.

Inside of three-mile limit, Lake Superior.

Whoever shall offend against the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars, and costs of prosecution, or by imprisonment in the county jail for not less than sixty (60) days nor more than ninety (90) days, for each and every offense.

Penalty.

SEC. 58. No person shall sell, have in possession, with intent to sell or offer for sale, any fish caught in any lake situated partly or wholly within a county in this state that has a population of one hundred and fifty thousand (150,000) or over.

Lake situated in counties of over 150,000 inhabitants.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than thirty (30) days, nor more than ninety (90) days for each and every fish so sold, had in possession with intent to sell or offered for sale.

SEC. 59. No person shall have in possession for sale, offer for sale or sell to any one, or have in possession or under control, for any purpose whatever at any time, any lake trout or whitefish of less than two pounds, round or undressed weight, or one and one-half pounds dressed

Trout or whitefish.

weight, or any wall-eyed pike of less than one pound round or undressed weight.

Penalty.

Whoever shall offend against the provision of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than fifty (50) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than sixty (60) days for each and every fish of less than the above-mentioned weights had in possession for sale, offered for sale, sold to or purchased from any one or had in possession or under control.

SEC. 60. No person shall ship, have in possession with intent to ship or cause to be shipped beyond the borders of this state, any fish of the kinds mentioned in this act except as provided in this act.

Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than fifty (50) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than sixty (60) days for each and every fish shipped, had in possession with intent to ship or caused to be shipped beyond the borders of this state.

Birds
killed
limited
to 25.

SEC. 61. No person shall wantonly waste or destroy any of the birds, animals or fish of the kinds mentioned in this act. The catching, taking or killing of more than twenty-five (25) birds by any one person in any one day, or the catching, taking or killing of more than fifty (50) fish by any one person, in any one day, except fish caught, taken or killed in the Mississippi River or in international waters with nets or seines as by this act permitted, shall be deemed a wanton waste and destruction of all such birds or fish caught, taken or killed in excess of such number.

Penalty.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than twenty-five (25) dollars and costs of prosecution, or by imprisonment in the county jail for not less than ten (10) days nor more than thirty (30) days for each and every bird or fish wantonly wasted or destroyed.

SEC. 62. No person shall pursue, hunt, catch, take, kill or have in possession or under control at any time any wild bird or animal of any kind, variety or description whatsoever, or any part thereof, within the limits of any territory within this state now or hereafter set apart, designated, used or maintained as or for a state public park.

State
public
parks.

And no person shall in any manner hunt with or have in possession at any time any loaded or any charged firearms at any point within the borders of any state public park within this state.

And no person shall in any manner hunt with or have in possession at any time any loaded or charged firearms at any point within three thousand (3,000) feet of any boundary line of any state public park within this state.

This section shall not be held to supersede or amend any law or ordinance which provides for the regulation of any public park within the limits of any incorporated park within this state.

The provisions of this section shall apply to any and all persons including Indians living on their reservation or otherwise.

Applies to
Indians
living on
reservation.

Whoever shall offend against any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than one hundred (100) dollars and costs of prosecution, or by imprisonment in the county jail for not less than sixty (60) days nor more than ninety (90) days for each and every violation of this section.

Penalty.

SEC. 63. Any person desiring to breed or domesticate any deer, moose, elk or caribou within this state, shall make application to the board of game and fish commissioners of this state for permission to so breed or domesticate any of the said animals. Said applications shall state the name and residence of the applicant, also the place where the said animals are to be bred or domesticated and shall also state the number and kinds of said animals in the possession of the applicant at the time of making said application.

Provisions
for breeding
deer, elk,
etc.

Every person who has been granted permission by the board of game and fish commissioners of this state to breed or domesticate within this state any deer, moose, elk or caribou shall upon the 1st day of January of each

Report
required.

year make a report to the board of game and fish commissioners of this state, which report shall state the number and kinds of animals in his possession at the time of making said report.

Not to
repeal ap-
propriations.

SEC. 64. Any and all acts and parts of acts, either general or special, which relate in any manner to the preservation, protection, taking, use and transportation of game and fish, are hereby expressly repealed, but nothing herein contained shall be construed as repealing any annual, standing or continuous appropriation for the board of game and fish commissioners, which is now provided for by law.

Provided, that such repeal shall not affect any civil or criminal action now pending or hereafter commenced for acts done or committed in violation of the game and fish laws of this state prior to the passage of this act.

SEC. 65. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 347.

CHAPTER 337.

R

Claims
against
counties.

An act to amend section six hundred and forty-four (644) of the Statutes of Minnesota of 1894, as amended by chapter three hundred and thirty-two (332) of the General Laws of Minnesota of 1899, relating to claims against counties, disallowance thereof and appeals therefrom.

Be it enacted by the Legislature of the State of Minnesota,

SECTION 1. That section six hundred and forty-four (644) of the Statutes of Minnesota of 1894, as amended by chapter three hundred and thirty-two of the General Laws of Minnesota of 1899, be and the same is hereby amended so as to read as follows.

Claimants
may appeal
from action
of com-
missioners.

Section 644. When the claim of any person against a county is disallowed in whole or in part, by the board of county commissioners, such person may appeal from the decision of such board to the district court in the same county, by causing a written notice of such appeal to be filed in the office within fifteen days after the decision appealed from was made, upon giving security for costs, to be approved by the county auditor. When the

claim of any person against a county is allowed in whole or in part by the board of county commissioners, no order shall be issued in payment of such claim or any part thereof until after the expiration of fifteen days from the date of the decision; and the county attorney may in any case, and, if the amount allowed exceeds twenty-five dollars, he shall, upon the request of seven taxpayers of the county, on behalf of and in the name of such county, appeal from the decision of such board to the district court in the same county by causing a written notice of such appeal to be filed in the office of the county auditor within fifteen days after the date of the decision appealed from. And thereafter no order shall be issued in payment of any part of such claim until the judgment of the district court in the proceedings shall be certified and filed in the office of the county auditor. When notice of appeal is filed as aforesaid, the district court shall have jurisdiction of the parties and of the subject matter of the proceedings and may compel a return to be made in the same manner as in the case of an appeal from a judgment of a justice of the peace; *provided*, that the board of county commissioners of any county may, in their discretion, at their regular meetings in January and July, appropriate from the revenue fund of the county a sum of money not exceeding two hundred and fifty dollars to pay incidental expenses of the county incurred for postage of the several county officers entitled thereto, and express charges, chargeable to the county, and the mileage of town officers making election returns, and such other purposes as the county board may direct; *provided further*, that no person shall be entitled to receive at any one time a larger sum than fifteen dollars from such appropriation; and the money so appropriated shall be paid on the warrant of the county auditor, upon the representation of a properly itemized and verified bill, except in such cases where the auditor considers the sum charged to be excessive, in which cases he shall file the bill, if requested by the person presenting the same, for action of the board at its next meeting.

Seven
taxpayers
may pro-
test.

District
court has
jurisdiction.

Provision
for postage,
express
charges, etc.

Provided further, that the county shall pay itemized and verified bills by the register of deeds, county auditor and county treasurer for such sums as may be necessarily expended by them for postage in the conduct of the business of their respective offices in excess of said sum of fifteen

dollars, to be audited and paid as other claims against the county are paid; *provided further*, that the provision of this act shall not apply to counties having a population of over 75,000.

SEC. 2. The foregoing provisions of this act shall not be construed as permitting an appeal from the decision of the Board of County Commissioners for the allowance of a claim for a payment due on a contract legally executed by the Board of County Commissioners and filed with the county auditor at least thirty (30) days prior to the allowance of such claim.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 125.

CHAPTER 338.

R

Liens
for labor.

An act to amend section one of chapter 350 of the General Laws of the State of Minnesota for the year 1897, relating to liens for labor, material and machinery furnished in the development and working of mines.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one of chapter 350 of the General Laws of the State of Minnesota for the year 1897, be and the same is hereby amended so as to read as follows: "Any person who performs any labor or furnishes any skill, material or machinery in or upon the development or operation of any mine, when such labor is done or performed or such skill, material and machinery is furnished at the request of the owner, lessee or contractor, owning, leasing, developing, or operating such mine, shall have a lien for the value of such services done and performed, and such skill or material used, and for the value of the use of such machinery furnished, which lien shall be upon the interest of said owner or lessee of such mine, and its appurtenances, and take precedence of all other liens and incumbrances against such property subsequent to the day upon which such skill, material and machinery is commenced to be used or such services begun.

Provided that if such labor is done and performed, and such skill, material, or machinery is furnished for a

Machinery
for operating
mines.

lessee or his contractor, the lien herein provided for shall only be a lien upon the interest of such lessee, and shall not effect the rights or be an incumbrance upon the interests of the owner of such mine or land.

This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 339.

R.

S. F. No. 322.

An act, entitled an act fixing the amount of the official bonds of county treasurers in all counties that now have or that hereafter may have over one hundred and fifty thousand, and not more than two hundred thousand inhabitants.

Bonds
of county
treasurers.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all counties of this state which now have or hereafter may have by the last completed state or national census a population of over one hundred and fifty thousand (150,000), and not more than two hundred thousand inhabitants, the official bond of the county treasurer shall be in the sum of five hundred thousand (\$500,000) dollars, *provided that when* the surety upon the official bond of any such treasurer is a corporation duly authorized by the laws of this state to become such surety, the amount of such bond shall be in the sum of two hundred and fifty thousand (\$250,000) dollars.

Applies
to counties
between
150,000 and
200,000 in-
habitants.

SEC. 2. This act shall be in force and effect from and after Jan. 1, 1905.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 21, 1903.

S. F. No. 348.

CHAPTER 340.

R

Destruction
of noxious
weeds.

An act to amend sections one (1), two (2) and five (5) of chapter two hundred and seventy-two (272) of the General Laws of Minnesota for 1895, relating to the prevention of the spread, and providing for the destruction of thistles and other noxious weeds in public highways.

Be it enacted by the Legislature of the State of Minnesota:

Weeds
considered
noxious.

SECTION 1. That section one (1) of chapter two hundred and seventy-two (272) of the General Laws of Minnesota for 1895, be, and the same is hereby amended so as to read as follows:

Section 1. Every person and corporation shall destroy upon all lands embraced within or constituting part of the public highway opposite or adjoining lands which he or they may own or control or occupy, all weeds known as Russian, Canada or other thistles, burdock, white or ox-eye daisy, wild mustard, snap dragon or toad flax, cockle-burr, sow-thistle, sour dock, yellow dock and all other noxious and ordinary weeds and grasses, at such time and in such manner as shall effectually prevent them from bearing seed; *provided*, that the provisions of this act as far as it refers to ordinary weeds and grasses shall apply only to regularly laid out and publicly traveled roads.

SEC. 2. That section two (2) of chapter two hundred and seventy-two (272) of the General Laws of Minnesota for 1895, be and the same is hereby amended so as to read as follows:

Section 2. If the occupant of any such lands shall fail to so destroy such weeds and grasses as so required after having six days' notice in writing by any road overseer or other proper officer such occupant shall be reported by said overseer or other proper officer as delinquent and a tax be levied against such land as hereinafter provided.

SEC. 3. That section five (5) of chapter two hundred and seventy-two (272) of the General Laws of Minnesota for 1895, be and the same is hereby amended so as to read as follows:

Section 5. The said overseer, commissioner or engineer shall carefully inquire concerning the existence of noxious and ordinary weeds and grasses in his township or precinct, village or city and in case any person, persons

Failure
to destroy
weeds as
directed.

or corporation owning, occupying or controlling any lands adjoining any public highway within this state shall neglect after such notice to destroy any Russian, Canada, or other thistles, burdock, white or ox-eye daisy, wild mustard, snap dragon, or toad flax, cocklebur, sow thistle, sour dock, or yellow dock or any other noxious and ordinary weeds and grasses growing on any lands, constituting any highway, lane or alley adjoining such land, it shall be the duty of such officer to destroy, or cause to be destroyed, all such weeds and grasses growing upon such highway. He shall spend as many days as the chairman of the town board, president of the village or mayor of the city may deem necessary, and for each day so spent shall receive two dollars upon presentation of his account therefor, verified by his oath and specifying by separate items the amount against each piece of land, describing the same, and the several amounts shall be placed in the next tax roll in a separate column headed "For the destruction of weeds and grasses," and extended as a tax against the lands adjoining such highway upon which such weeds and grasses were destroyed, and be collected as other taxes.

Pay for
service.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 341.

R

S. F. No. 401.

An act "to amend section 5204 of the Statutes 1894," relating to the service of summons in civil actions.

Summons in
civil actions.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the second subdivision of section 5204 of the General Statutes of Minnesota for 1894 be and the same is hereby amended so as to read as follows:

Second—When the defendant, being a resident of this state, has departed therefrom with intent to defraud his creditors, or to avoid the service of a summons, or keeps himself concealed therein with like intent, or when the defendant, being a resident of this state, has departed therefrom or cannot be found therein, and has property or credits therein, upon which the plaintiff has acquired a lien by attachment or garnishment.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 539.

CHAPTER 342.

R

Discharge
of mortgages.

An act to amend section 4196 of General Statutes of 1894, as amended by chapter 182 of General Laws of 1899, relating to the discharge of mortgages of record.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section 4196 of the General Statutes of 1894, as amended by chapter 182 of the General Laws of 1899, be amended so as to read as follows:

How mort-
gages may
be discharged.

Section 4196. Mortgages may be discharged by an entry in the margin of the record thereof, signed by the mortgagee or his executor, administrator or assignee, or if the mortgagee or assignee be a corporation it may be signed by the president, or vice president, attested by the secretary or treasurer of said corporation, acknowledging the satisfaction of the mortgage; and such entry shall have the same effect as a deed of release, duly acknowledged and recorded. They may also be discharged upon the record thereof by the register of deeds whenever there shall be presented to him a certificate signed by the mortgagee or grantee, his personal representatives or assigns, executed and acknowledged as hereinbefore prescribed, specifying that such mortgage has been paid or otherwise satisfied or discharged; that said marginal satisfactions shall be numbered and entered on the reception book, and grantor and grantee's index. In case any mortgage shall cover property situated in more than one county in this state a certificate of discharge thereof or a certified copy of the record of any such certificate may be recorded in the office of the register of deeds of each county where said mortgage may be recorded; *provided*, that in case of discharge by entry upon the margin of the record, the instrument so discharged or satisfied shall likewise be included in such certificate of discharge and satisfaction, and if any such mortgage shall be foreclosed by advertisement or action in any one county, and the mortgage debt secured thereby be paid by such foreclosure, there may be filed for record in the office of the register of deeds of such other county or counties, duly certified

When
mortgages
cover
property
in more
than one
county.

copies of the notice of sale, and all other foreclosure proceedings of record in the office of the register of deeds in the county wherein said mortgage may be foreclosed. Every such certificate or papers evidencing such foreclosure proceedings, together with the proofs, acknowledgments and certifications thereof, shall be recorded at full length and reference made to the book and page containing such record by a minute on the margin of the record of the original mortgage, and the register of deeds shall indorse upon papers so presented to him for record the time and place of recording the same.

Certificate
and papers
to be
recorded.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 343.

S. F. No. 431.

An act entitled "An act to authorize cities in this state now or hereafter having a population of one hundred and fifty thousand inhabitants or over to issue bonds in aid of certain street improvements."

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any city in this state, now or hereafter having a population of one hundred and fifty thousand inhabitants or over, which shall decide by action of its common council to improve any street leading to the outskirts of such city, which will be in the nature of a general thoroughfare, by paving or macadamizing the same, when in the opinion of the common council, property cannot be found subject to assessment which is benefited sufficiently to cover the cost and expense of such improvement, then and in that case the common council of such city, in order to aid in defraying the cost and expense of such improvement, may, by ordinance passed by the affirmative vote of at least two-thirds of all the members elect thereof, authorize the issue, and may issue and sell the bonds of such city therefor in a sum not to exceed \$30,000.00 par value, anything in the charter of said city or in any law in this state which may prohibit the issue of any bonds in excess of any specified percentage of the taxable property in such city to the contrary notwithstanding; provided, however, that no power is granted or shall exist under

Authorizing
counties of
over 150,000
inhabitants
to issue
bonds for
street im-
provements.

this act, to issue in the aggregate more than \$30,000.00 par value of bonds by any one city.

Bonds to
be signed
by mayor
and city
clerk.

SEC. 2. Such bonds shall be signed by the mayor and city clerk and shall be countersigned by the city comptroller, and shall have the corporate seal of the city affixed thereto, and shall be in such denominations and contain such recitals as the common council may determine. Such bonds may be in the form of coupon bonds or in the form of registered certificates so-called, and shall mature at such time as the common council shall determine, not exceeding, however, thirty years from their date, and shall bear interest at a rate not to exceed four per cent per annum, payable semi-annually at such places as the common council may determine. Any bonds so issued under this act shall be disposed of upon notice and at public sale to the highest responsible bidder therefor, provided none of said bonds shall be sold for less than par and accrued interest, and the faith and credit of the city so issuing any bonds is irrevocably pledged to the prompt payment of both principal and interest thereof, and the common council shall provide by taxation each year for the prompt payment of the interest thereon as it accrues.

Rate of
interest.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 573.

CHAPTER 344.

R

Accounts
of executors
and admin-
istrators.

An act relating to the allowance of the accounts of executors and administrators.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That in all cases where any executor or administrator has heretofore paid in good faith any debts or claims against the estate which he represents, without the same having been duly approved as required by law, and whose final account has not yet been settled, such payments may be allowed by the judge of probate upon proof satisfactory to said judge of probate that said debts or claims were just and exist[ing] demands against said estate at the time of their payment, *provided* that the notice of settlement of such final account shall state that application will be made for such allowance.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 345.

S. F. No. 455.

An act to amend section fifty-one (51) of chapter sixty-six (66) of the General Statutes of 1878, as amended by chapter twenty-eight (28) of the General Laws of 1895, relating to the change of venue in civil actions.

Change of
venue in
civil actions.

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102-NW 869

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section fifty-one (51) of chapter sixty-six (66) of the General Statutes of 1878, as amended by chapter twenty-eight (28) of the General Laws of 1895, be and the same is hereby amended so as to read as follows:

Section fifty-one (51). If the county designated for that purpose in the complaint is not the proper county, the action may notwithstanding be tried therein, unless the defendant before the time for answering expires, demands in writing that the trial be had in the proper county, which demand shall be accompanied by an affidavit of the defendant, his attorney or agent, as to the actual residence of the defendant at the time of the commencement of the action, and upon filing due proof of the service of such demand and affidavit upon the attorney of plaintiff in the office of the clerk of the district court in the county in which such action is commenced, within thirty (30) days from the date of the service thereof, such action shall thereupon be transferred and the place of trial thereof changed to the county of which such defendant is a resident without any other steps or proceedings whatever. Where in any action there are several defendants residing in different counties the action shall be tried in the county upon which a majority of such defendants shall unite in such demand.

Demand
to be ac-
companied
by affidavit.

The court may change the place of trial in the following cases:

Court may
change
place of
trial in
designated
cases.

First—When there is reason to believe that an impartial trial cannot be had in the county in which the action is then pending.

Second—When the convenience of witnesses and the ends of justice would be promoted by the change.

Provided that when the defendant is, upon proper demand made, entitled to a change of the place of trial from the county in which the action against him was commenced to the county in which he resides, upon the ground that the county designated in the complaint is not the proper county, such action cannot for any of the reasons or upon any of the grounds specified in this section be retained for trial in the county where the same was commenced, but can only be tried therein upon removal there-to from the proper county upon order of the district court in and for such proper county.

When
place of
trial is
changed.

Third—A change of venue may in all civil cases be made upon the consent in writing of the parties or their attorneys. When the place of trial is changed, all other proceedings shall be had in the county to which the place of trial is changed unless otherwise provided by the consent of the parties in writing duly filed, or order of the court, and the papers shall be filed or transferred accordingly.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 404.

CHAPTER 346.

R

Duties of
surveyors
general
of logs

An act to require the surveyors general of logs and lumber to inspect and survey cedar posts, poles and farm poles, cedar electric light, telephone and telegraph poles and to provide for the compensation thereof.

Be it enacted by the Legislature of the State of Minnesota:

Requires
inspection
of cedar
posts, tele-
phone and
telegraph
poles.

SECTION 1. The surveyor general of each district shall by himself, or his deputy, at the request of the owner of any cedar posts, or farm poles, cedar electric light, telephone and telegraph poles, or at the request of any sheriff, coroner or constable, who has replevied, attached or levied upon any cedar posts, farm poles or cedar electric light, telephone and telegraph poles, or at the request of any person who has a written order from the owner thereof for the delivery thereof, repair to any part of his district and inspect and survey such cedar posts, and farm poles, electric light, telephone and telegraph poles, and upon completion of such inspection and survey, to make out a true and correct scale bill, or inventory thereof which shall contain

a certificate of the name of the person by whom, the time when and the place where such material was inspected and surveyed and at whose request and to whom inspected, surveyed and scaled and the scale mark placed thereon, the number of the different pieces and sign the same; which scale bill or inventory shall be recorded in the books of his office and, upon being paid his fees for such services he shall deliver the original scale bill or inventory to persons for whom the material was scaled, or the person requesting the survey, and such scale bill or inventory and the record thereof shall each be prima facie evidence of the facts therein stated. *Providing* that said surveyor general of logs and lumber in scaling any cedar posts or farm poles, cedar electric light, telephone and telegraph poles shall be governed by the following specifications, to wit:

Standard specifications of cedar posts—Length of 7 foot posts may be 6 feet 10 inches, length of 8 foot posts may be 7 feet 10 inches, cut from live timber and peeled. Size of posts at top end may be $\frac{1}{4}$ inch less than diameter specified. Pipe rot is allowed, and other rot defects which do not impair the strength of the post for the uses of a fence post. Four inches sweep one way is admissible. Discoloration or evidence of age, no defect, providing stock is reasonably sound and cut down live timber. Green, fresh cut or water soaked posts must be plump measure for diameter specified.

Standard specifications.

Large posts and small poles—Sizes, 4-inch 10 feet to 4-inch 25 feet, inclusive. Size at top end may be $\frac{1}{4}$ inch less than diameter specified. Lengths may be two inches scant. On posts and poles 10, 12, 14, 16 and 18 feet long 4 inch crook one way allowed, 20 and 25 feet 5 inch crook allowed. Pipe holes in tops allowed. Must be cut from live timber and in other respects conform to post specifications. Green fresh cut or water soaked stock must be plump measure for diameter specified.

Standard telegraph, telephone and electric poles—Sizes 5-inch 25 foot and upwards. Above poles must be cut from live growing timber, peeled and reasonably well proportioned for their length. Tops must be reasonably sound, and when seasoned must measure as follows: 5-inch poles 15 inches circumference at top end; 6-inch poles, 18 $\frac{1}{2}$ inches circumference at top end; 7-inch poles, 22 inch circumference at top end. If poles are green, fresh cut or water soaked, then 5-inch poles must be 5

Sizes of telephone, telegraph and electric poles.

inches plump in diameter at top end, 6-inch poles must be $19\frac{1}{2}$ inches in circumference, and 7-inch poles, $22\frac{3}{4}$ inches in circumference at top end. One way sweep allowable not exceeding one inch for every five feet, for example, in a 25-foot pole sweep not to exceed five inches and in a 40-foot pole eight inches; in longer length one inch additional sweep permissible for each additional five feet in length. Measurement for sweep shall be taken as follows: That part of the pole when in the ground (six feet) not being taken into account in arriving at sweep, tightly stretch a tape line on the side of the pole where the sweep is greatest, from a point six feet from the butt to the upper surface at top, and having so done, measure widest point from tape to surface of pole and if, for illustration, upon a 25-foot pole said widest point does not exceed five inches said pole comes within the meaning of these specifications. Butt rot in the center including small ring rot outside of the center; total rot must not exceed 10 per cent of the area of the butt. Butt rot of a character which plainly seriously impairs the strength of the pole above ground is a defect. Wind twist is not a defect unless very unsightly and exaggerated. Rough large knots if sound and trimmed smooth are not a defect.

Compensation
of surveyor
general.

SEC. 2. Such surveyor general shall receive, as compensation for such services, for inspecting and surveying farm posts or small poles twenty cents (20c) for each hundred pieces, or fraction thereof; for inspecting cedar electric light, telephone and telegraph poles ten cents (10c) per hundred feet, lineal measure.

SEC. 3. The Laws of Minnesota relating to the duties of the surveyor generals in inspecting and surveying logs and lumber and the records and rules thereof including fee for travel as provided in section 2402, Statutes 1894, shall, so far as applicable, apply to the inspection and survey and marking of cedar posts and farm poles, cedar electric poles, telephone and telegraph poles as herein provided for.

Keep rules
posted.

SEC. 4. The surveyor general shall keep posted, in his office a written rule, regulation or scale which shall govern him in the inspection and survey of such products. The rules and regulations now adopted or may be hereafter amended by the Northwestern Cedar Men's association shall be followed by such surveyor in establishing such rules and regulations as far as they may be deemed by him applicable.

SEC. 5. Surveyor general of logs and lumber of each district is hereby authorized to appoint such additional deputies as may be deemed necessary for the inspection of such cedar material.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 347.

R

H. F. No. 675.

An act to amend section thirty-six (36) of chapter one hundred and seventy-five (175) of the General Laws of one thousand eight hundred ninety-five (1895), as amended by chapter two hundred and fifty-eight of the General Laws of eighteen hundred and ninety-seven (1897), and as amended by chapter one hundred and ninety-eight (198) of the General Laws of eighteen hundred and ninety-nine (1899), authorizing the organization of mutual creamery fire insurance companies, and mutual retail hardware fire insurance companies, and mutual dwelling house fire insurance companies.

Organization of mutual fire insurance companies.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section thirty-six (36) of chapter one hundred and seventy-five (175) of the General Laws of eighteen hundred and ninety-five (1895), as amended by chapter two hundred and fifty-eight (258) of the General Laws of eighteen hundred and ninety-seven (1897), as amended by chapter one hundred and ninety-eight (198) of the General Laws of eighteen hundred and ninety-nine (1899), be amended so as to read as follows:

Section 36. No policy shall be issued by a purely mutual fire insurance company hereafter organized, until not less than seven hundred and fifty thousand (750,000) dollars of insurance, in not less than three hundred (300) separate risks upon property located in Minnesota has been subscribed for and entered on its books. *Provided*, that mutual fire insurance companies, hereafter organized, for the purpose of writing fire insurance upon creamery and cheese factory buildings and their contents and equipments exclusively, may and are hereby authorized to issue policies, when not less than fifty thousand (50,000) dollars, in not less than twenty-five (25) separate risks, upon creamery and cheese factory buildings or their contents

Creamery insurance companies may be organized with 25 separate risks.

No com-
mission on
premiums.

Hardware
insurance
companies.

200 separate
risks
required.

Dwelling
houses,
barns, etc.

and equipments, located in the State of Minnesota, has been subscribed for and entered on any such company's books. Such companies shall be designated as "mutual creamery fire insurance companies," and shall issue no policy except upon buildings used for creamery and cheese factory purposes and their contents and equipments. No officer, or other person, whose duty it is to determine the character of the risk, and upon whose decision the application shall be accepted or rejected by a mutual fire insurance company, shall receive as any part of his compensation a commission upon the premiums, but his compensations shall be a fixed salary and such share of the net profits as the directors may determine. Nor shall such officer or person aforesaid be an employe of any officer or agent of the company. The provisions of section thirty-six (36) do not apply to township mutual fire insurance companies. And *provided, further*, that mutual fire insurance companies hereafter organized for the purpose of writing fire insurance upon the stock in trade, tools and fixtures of retail hardware dealers, or upon the store buildings containing the same when such building is owned by the owner of such stock, tools and fixtures, or upon both such stock, tools, fixtures and buildings, may and are hereby authorized to issue policies when not less than five hundred thousand (500,000) dollars of insurance or not less than two hundred (200) separate risks upon such property located in the State of Minnesota, has been subscribed for and entered upon such company's books. Such companies shall be designated as "mutual retail hardware fire insurance companies," and shall issue no policy except upon the stock in trade, tools and fixtures or upon the building containing the same when the building is owned by the owner of such stock, tools and fixtures or upon both such stock, tools, fixtures and building, and provided further that mutual fire insurance companies hereafter organized for the purpose of writing fire insurance upon dwelling houses, their contents, also barns, live stock and vehicles, may and are hereby authorized to issue policies when not less than two hundred and fifty thousand (250,000) dollars of insurance, or not less than (200) separate risks upon such property located in the State of Minnesota has been subscribed for and entered upon such company's books. Such companies shall be designated as "mutual dwelling house fire insurance companies" and shall issue no policy except

upon dwelling houses, their contents, also barns, live stock and vehicles.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 348.

An act to provide for additional clerk hire for county treasurers in certain cases.

H. F. No. 700.

Clerk hire
for county
treasurers.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. In all counties in this state containing a population of not less than forty-five thousand (45,000) inhabitants, where the salary of the county treasurer is fixed at sixteen hundred (1,600) dollars per annum, by law, such county treasurer shall hereafter be allowed by the county commissioners of said county, a sum not exceeding two thousand (2,000) dollars annually for clerk hire, payable in monthly installments.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 22, 1903.

CHAPTER 349.

An act to amend section five (5) of chapter two (2) of the General Laws of one thousand nine hundred and two (1902), entitled an act relating to the taxation of real estate; providing for penalties relating thereto; the entry of tax judgments and the sale and disposition of such delinquent real estate; redemption from such sale, and the payment of taxes upon real estate so delinquent.

Taxation
of real
estate.

H. F. No. 724.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section five (5) of chapter two (2) of the General Laws of one thousand nine hundred and two (1902) be and the same is hereby amended to read as follows:

Section 5. Character of papers in which notice and list may be published: Any newspaper having been printed

Character
of news-
papers.

and published in the county in the English language for a period of at least one year immediately preceding designation, and having had general circulation in the county during such period, shall be deemed eligible to be designated for the publication of the notice and list of delinquent real property as provided in section four (4) of this act, except that in counties having a population of seventy-five thousand (75,000) or more, the newspapers so designated must also conform to the requirements of section seven thousand nine hundred and ninety-two of the General Statutes of one thousand eight hundred and ninety-four (1894) defining a daily newspaper and amendments thereto.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 22, 1903.

H. F. No. 726.

CHAPTER 350.

R

Clerical
work and
printing of
municipal
corporations.

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105-NW 969
3-LRA
(n s) 819

An act amending section one (1) of chapter one hundred twenty-nine (129) of the General Laws of Minnesota for 1901, being an act authorizing and requiring certain municipal corporations to pay for certain clerical work and printing done for the charter commission of such municipal corporations.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. Any municipal corporation in the State of Minnesota in which a board of fifteen freeholders has been, or may hereafter be, appointed for the purpose of framing a charter under the provisions of chapter 351 of the General Laws of Minnesota for 1899, or any acts amendatory thereof, is hereby authorized and required to pay a reasonable compensation for any stenographer, or attorney which said board of fifteen freeholders may deem it advisable to employ to assist in doing clerical work, or rendering legal services for said board in the framing of such charter, and also for printing such charter if so directed by the board. Such expenditures, however, not to exceed the sum of five hundred (500) dollars.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 22, 1903.

CHAPTER 351. *R*

H. F. No. 678.

An act relating to the employment of special attorneys by state boards, commissions, departments, or officers.

Special
attorneys
for state
boards.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. Except where otherwise expressly provided by law, no board, commission, department or officer of the state government, shall have authority to employ or contract for the employment of any attorney or attorneys for the rendering of any legal services at the expense of the state, but the attorney general shall be the attorney of all such boards, commissions, departments and officers, and shall perform all legal services therefor. It is hereby made the duty of the respective county attorneys when requested by the attorney general, to appear and act as assitant attorney for any such board, commission, department or officer. If in any instance for the proper protection of the interests of the state the employment of special attorneys or counsel becomes necessary, the attorney general shall first so certify by an instrument in writing, which shall be filed with the state auditor, and the employment shall be made by the attorney general who shall agree with any attorney so employed as to their compensation, and no such compensation shall be paid until the attorney general shall certify in writing that the same is just and correct. If such employment is for any purpose the administration of which is under the control of any board or commission the compensation of such attorney or attorneys, shall be paid out of the appropriation for such board or commission. The compensation of attorneys employed by the attorney general to assist in the prosecution of any criminal cause in any of the courts in this state shall not exceed twenty-five dollars per day.

Duties of
county
attorneys.

Compensation.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 22, 1903.

H. F. No. 616.

CHAPTER 352.

R

State live
stock and
sanitary
board.

An Act to establish the state live stock sanitary board of Minnesota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals.

Be it enacted by the Legislature of the State of Minnesota :

Composed
of five
members.

SECTION 1. That a board is hereby established to be known as "The State Live Stock Sanitary Board." This board shall consist of five (5) members to be appointed by the governor of the State of Minnesota. Each member of said board shall be a qualified elector of the State of Minnesota. Three members of said board shall be persons who are financially interested in the breeding and maintenance of live stock in the State of Minnesota, and two members of said board shall be competent and qualified veterinary surgeons who are graduates of some regularly organized and recognized veterinary colleges practicing in the State of Minnesota.

Governor
shall appoint,
conditions.

Terms of
office.

SEC. 2. In making the first appointments to said state live stock sanitary board, the governor shall divide the appointees into five classes: the term of office of each of the first appointees shall commence on the first day of April, 1903; one of said appointees shall hold his office for a term of one year; one for the term of two years; one for the term of three years; one for the term of four years; and one for the term of five years; and at the expiration of the term of office of each of the first appointees, a successor shall be appointed who shall hold his office for a term of five years, so that the term of office of one member of said board shall expire every year. In case of the death, resignation or removal of any member of said board during his term of office, the governor shall appoint a successor to serve the unexpired portion of the term of office of such member.

Provision
for secretary.

SEC. 3. Immediately after the appointment of the first board hereinafter provided for the members thereof shall meet at the city of St. Paul, and from their own numbers shall elect a president and a vice president. They shall also elect, from outside their numbers, a secretary, who shall be a graduate of some regularly organized and recognized veterinary college, who shall be the executive officer of said board, and who shall receive such compensa-

tion as said state live stock sanitary board may determine. His term of office shall be one year, and he shall hold his office until his successor is elected and qualified. The said board may also, if it deem expedient, elect a field veterinarian, a bacteriologist and an attorney for said board, which said officers, if elected, shall also hold office for the term of one year, and shall receive such compensation as may be determined by said state live stock sanitary board. The said state live stock sanitary board shall also have the power to appoint or employ such additional help as it may deem necessary and expedient for carrying into effect the powers and duties conferred on said board by this act.

Term
one year.

SEC. 4. No member of said state live stock sanitary board shall receive any compensation for any services he may render, either as a member of said board, or to said board, under the provisions of this act, save and except that the members of said board shall receive their actual expenses necessarily paid or incurred in the discharge of their duties as members of said board.

No com-
pensation.

SEC. 5. The said state live stock sanitary board shall hold quarterly meetings in the city of St. Paul, on the Friday after the second Tuesday in January, April, July and October of each year. The annual meeting of said board for the election of officers shall be on the Friday after the second Tuesday in April of each year.

Meetings.

SEC. 6. It shall be the duty of the said state live stock sanitary board to protect the health of the domestic animals of the state; to determine and employ the most efficient and practical means for the prevention, suppression, control and eradication of dangerous, contagious, and infectious diseases among the domestic animals of the State of Minnesota, and for these purposes it is hereby authorized and empowered to make all such rules and regulations for the conduct of the business of said state live stock sanitary board as it may deem expedient.

Duty of
board.

SEC. 7. It is hereby made the duty of the several local boards of health of the towns, villages, and cities of this state to co-operate with and assist said state live stock sanitary board in all matters and things pertaining to the prevention, suppression, control and eradication of dangerous, contagious or infectious diseases among the domestic animals of the state, whenever directed so to do by said state live stock sanitary board or the executive officer

Duty of
local
boards of
health.

thereof, and in such manner as directed by said state live stock sanitary board.

Authority
taken from
state
board of
health.

SEC. 8. All authority conferred upon the state board of health by any law of the State of Minnesota concerning the prevention, control, suppression or eradication of contagious or infectious diseases among any of the domestic animals of this state is hereby taken from said state board of health and conferred upon said state live stock sanitary board. The proviso at the end of section four (4) of chapter two hundred and thirty-three (233) of the laws of Minnesota for the year 1897, is hereby repealed.

Authority
given new
board.

SEC. 9. Authority is hereby given to the state live stock sanitary board and to the several local boards of health of the towns, villages and cities of this state, to take all steps they may severally deem necessary to control, suppress and eradicate any and all contagious and infectious diseases among any of the domestic animals in this state, and to that end, said boards are hereby severally empowered, within their respective jurisdictions, to quarantine any domestic animal which is infected with any such disease or which has been exposed to infection therefrom; to kill any animal so infected, and, whenever deemed necessary by the state live stock sanitary board, to kill any animal which has been exposed to the infection of any such disease; to regulate or prohibit the arrival in or departure from this state, or the arrival in or departure from any of the towns, villages and cities thereof, of any such exposed or infected animal, and at the cost of the owner thereof, to detain any domestic animal found in violation of any such regulation or prohibition; to adopt all such rules and regulations as may be by such several boards deemed necessary or expedient to enforce the authority hereby given; and said state live stock sanitary board is hereby expressly given authority to regulate or prohibit the shipment into this state of any domestic animal which in the judgment of said board may injure the health of live stock in this state; *provided* that neither said state live stock sanitary board nor any local board of health shall, by any rule or regulation thereof prohibit the sale, disposal or removal of any domestic animal of any person or persons from any place when such animal has no disease or has not been exposed to any contagious disease, and the fact that animals are upon the same premises with other animals having a contagious disease shall not of itself necessarily be construed as evidence of

exposure to such a contagious disease as is had by said other animals.

SEC. 10. Any person who knows of or has reason to suspect the existence of any contagious or infectious disease in any domestic animal in the State of Minnesota shall forthwith give notice thereof to the local board of health of the town, village or city wherein such animal is kept. Within twenty-four hours after any local board of health shall receive notice or have knowledge that any domestic animal is infected with any such disease or has been exposed thereto, it shall give notice thereof in writing to the said state live stock sanitary board.

Contagious
or infectious
diseases.

SEC. 11. All rules and regulations adopted by said state live stock sanitary board or by any local board of health under the authority of this act shall be entered upon the minutes of the board so adopting such rules or regulations and shall be published in a newspaper to be designated by the board making such rule or regulation and in the manner by such rule or regulation prescribed. All regulations now in force adopted by any board of health within this state under authority of any law existing prior to the passage of this act or relating to the matters covered by this act and not in conflict with this law, are continued in force and are hereby declared to be rules and regulations of said state live stock sanitary board and the several local boards of health of the towns, villages and cities under this act until such times as others are adopted.

Rules and
regulations
to be
entered on
minutes.

SEC. 12. No animals shall be killed by any of the boards herein mentioned until it shall first have been adjudged to be infected with a contagious or infectious disease, either by a duly authorized agent of said state live stock sanitary board or by a veterinary surgeon selected by a local board of health; except that whenever, in the judgment of said state live stock sanitary board, the control or eradication of the disease renders it advisable to do so, said state live stock sanitary board may order killed and buried or otherwise destroyed any domestic animal which has been exposed to a contagious or infectious disease although at the time not infected therewith.

Killing of
animals
infected.

SEC. 13. Whenever a domestic animal has been adjudged to be infected with a contagious or infectious disease and has been ordered killed by said state live stock sanitary board or by a local board of health, the owner or keeper of such animal shall be notified thereof, and with-

Owner of
animal to be
notified.

in twenty-four hours thereafter such owner or keeper may file a protest against the killing thereof with the board which has ordered such animal killed. Such notice shall state under oath that to the best of the knowledge and belief of the person making such protest, such animal is not infected with any contagious or infectious disease; whereupon if such animal is killed notwithstanding such protest, a post-mortem examination thereof shall be made by three experts, one of said experts to be appointed by said state live stock sanitary board; one to be appointed by the person making such protest, and the two thus appointed to choose a third.

Post
mortem ex-
aminations.

If upon such post-mortem examination such animal shall be found to have been entirely free from contagious or infectious diseases, there shall be appointed three competent and disinterested men, one to be selected by said state live stock sanitary board, one by the person making such protest, and the third by the two already appointed, to appraise such animal at its cash value immediately before it was killed, and the amount thereof shall be paid to the owner of said animal out of the funds hereby appropriated for the purpose of carrying out this act.

Appraise-
ments.

The appraisements made under this act shall be in writing and signed by the appraisers and certified by the local board of health and the said state live stock sanitary board respectively, to the auditor of the state, who shall draw a warrant on the state treasurer for the amount thereof.

Expense
of experts
to be
paid by
board.

SEC. 14. The expense of the experts in making the post-mortem examination herein provided for shall be defrayed by said state live stock sanitary board out of the moneys appropriated for the carrying into effect of this act, in case said experts upon examination find such animal to have been entirely free from contagious or infectious disease. If, however, upon such examination, such animal shall be found to have been infected with a contagious or infectious disease, then the expense of the expert appointed by said state live stock sanitary board and the third expert shall be paid by the said state live stock sanitary board out of the funds hereby appropriated for the carrying into effect of this act, and the expense of the other expert shall be paid by the person making the protest. The amount of such expense shall be fixed and allowed by the said live stock sanitary board and by its certified to the state auditor, who shall draw his warrant on the state treasurer for the amount thereof.

SEC. 15. Upon the filing of any appraisalment hereinbefore provided for, it shall be the duty of the local board of health in the town, village or city where such appraisalment shall have been had to make a certificate under their hands of the number of days served by the appraisers in making their appraisalment, and upon the filing of such certificate, the said certificate shall be forwarded to the state live stock sanitary board and if by said board found to be correct, such fact shall be endorsed on the back thereof and such certificate with such endorsement shall be filed with the state auditor and the state treasurer shall pay to each of said appraisers the sum of two dollars per day for his services as such appraiser upon the warrant of the state auditor, such payment to be made out of the funds herein appropriated.

Certificate
of expense
to be filed.

SEC. 16. Whenever any such animal which has not been adjudged to be infected is killed by order of said board, but not by the owner or keeper thereof, a post-mortem examination thereof shall be made by an examiner appointed as aforesaid, and if found to have been entirely free from any contagious or infectious disease, the value of such animal shall be determined and paid for as hereinbefore specified.

SEC. 17. The expense of the killing and burial, or destruction, of any diseased animal ordered killed by either of the boards aforesaid shall be borne by the town, village or city where such animal was kept. The expense of the quarantine of any infected animal, or of any animal that has been exposed to infection, when taken from the possession of its owner or keeper, shall be borne one-fifth by the town, village or city where the animal was kept and four-fifths by the state. When any animal is quarantined upon the premises of its owner or keeper, the expense thereof shall be borne by such owner or keeper. Whenever any animal is quarantined when being shipped into the state, the expenses thereof shall be borne by its owner or keeper. Whenever the owner or keeper of any domestic animal is liable for any expenses incurred under this act by the state live stock sanitary board or by any board of health in connection therewith, such board may have a lien on such animal for such expense, and may also maintain an action against such owner or keeper therefor.

Expense to
be borne
by town,
village or
city.

SEC. 18. It is hereby made the duty of the several local boards of health in this state to carry out and en-

force all orders and directions of the state live stock sanitary board to them directed, and the state live stock sanitary board may require any two or more local boards to act together for the purpose of enforcing any of the provisions of this act.

Rules of
live stock
board
supersede
local boards.

SEC. 19. Whenever the rules and regulations of the state live stock sanitary board made under authority of this act conflict with the rules and regulations made hereunder by any local board of health, those made by the state live stock sanitary board shall supersede those made by the local board.

Examination
under oath.

SEC. 20. The state live stock sanitary board, or any member or duly authorized agent thereof, may examine or cause to be examined, under oath, all persons believed to possess knowledge of material facts concerning the existence or dissemination, or danger of dissemination, of disease among domestic animals; and, for this purpose, shall have all the powers vested in justices of the peace to take depositions and to compel witnesses to attend and testify.

Penalties
for violation
of act.

SEC. 21. Any person violating any provisions of this act or any rule or regulation made by the state live stock sanitary board, or by any local board of health, or any order made by any such board under the authority hereof, shall be guilty of a misdemeanor, and be punished by a fine of not less than twenty-five (25) dollars or more than one hundred dollars, or by imprisonment for not less than thirty (30) days or more than ninety (90) days. Any member of any local board of health who shall neglect or refuse to carry into effect the provisions of this act, or who shall neglect or refuse to carry out any directions of the state live stock sanitary board. Or who shall neglect or refuse to enforce any rule or regulation made by the state live stock sanitary board, or by any local board of health under the authority hereof, shall be guilty of a misdemeanor and be punished by a fine of not less than twenty-five (25) dollars and not more than one hundred (100) dollars; and each and every day's neglect or refusal to perform any duty imposed upon him by this act shall constitute a separate and independent misdemeanor. Complaints for violating the provisions of this act, or for violating any rule or regulation made by the state live stock sanitary board or by any board of health under its authority, or by the said state live stock sanitary board, may be made by any member or authorized

agent of any such board, or by any citizen of this state, or by any person directly interested.

SEC. 22. Whenever, during the prevalence in this state of any contagious or infectious disease among domestic animals, the owner shall post on his premises a notice forbidding all persons not authorized by said state live stock sanitary board or local boards of health to enter any building or inclosure on said premises without permission from said owner, it shall be a misdemeanor to enter upon said premises, punishable by a fine of not less than twenty-five (25) dollars, nor more than one hundred (100) dollars, or by imprisonment for not less than thirty (30) nor more than ninety (90) days.

Notices
posted.

SEC. 23. The said state live stock sanitary board shall make an annual report to the governor of Minnesota of all its proceedings and transactions for the preceding year, which said report shall be published by the State of Minnesota.

Annual
report.

SEC. 24. The state board of health is hereby directed to turn over and deliver to said state live stock sanitary board, immediately upon the appointment of said board, all books, papers, documents and files of said state board of health pertaining or relating to contagious or infectious diseases of domestic animals, either in Minnesota or elsewhere.

SEC. 25. The annual appropriation, made for the use of the state board of health by the provisions of section twelve (12) of chapter (233) two hundred and thirty-three of the Laws of Minnesota for the year 1897 as amended by section two (2) of chapter three hundred and twenty-two (322) of the Laws of Minnesota for the year 1901, is hereby transferred from said state board of health and granted and appropriated to said state live stock sanitary board for the carrying into effect the purposes of this act; and any moneys which at the time of the passage of this act remain unexpended out of said annual appropriation for the fiscal year ending July 31st, 1903, is hereby transferred from said state board of health and granted and appropriated to said state live stock sanitary board.

Transfer of
appropriation.

SEC. 26. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 27. This act shall take effect and be in force from and after its passage.

Approved April 22, 1903.

H. F. No. 634.

Management
of village
cemeteries.

CHAPTER 353.

R

An act to amend section twelve hundred and twenty-four of the General Statutes of 1894 relating to the powers and duties of village councils in the management of village cemeteries and burial grounds, and providing for the appointment of cemetery boards.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That section twelve hundred and twenty-four (1224) of the General Statutes of one thousand eight hundred and ninety-four (1894) be, and the same is hereby amended by adding thereto at the end of said section the following :

Board of
three
members.

Thirtieth. To appoint a cemetery board to consist of not less than three members; to prescribe, by ordinance, the term of office and the powers and duties of such board.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 661.

Land for
park pur-
poses.

CHAPTER 354.

R

An act authorizing cities of over fifty thousand inhabitants to acquire lands for park purposes.

Be it enacted by the Legislature of the State of Minnesota :

Cities of
more than
50,000 in-
habitants.

SECTION 1. Any city of this state now or hereafter having a population of more than fifty thousand inhabitants, according to the next preceding state or national census, is hereby authorized to purchase any tract of land lying within the limits of said city for use by the public as a park, subject however to the limitations hereinafter contained.

SEC. 2. Whenever the park board or board of park commissioners of any such city shall deem it advisable and for the public interest that any particular tract or piece of land within the limits of said city, which may include two or more contiguous lots or tracts, shall be acquired for use as a public park and shall so determine by resolution adopted by vote of a majority of its members, said board shall have the power to contract therefor

Powers to
contract.

in the name of such city and to bind said city for the payment of the purchase price thereof, *provided however* that the total cost of the purchase of land for park purposes under the provisions of this act shall not exceed five thousand dollars, and that no purchase shall be made thereunder after the expiration of the period of three (3) months from the passage and approval thereof.

SEC. 3. Whenever the park board or board of park commissioners of any city shall have entered into a contract for the purchase of any piece or parcel of land for park purposes, under the provisions of this act, said board shall transmit such contract or a duplicate thereof to the city council of said city, and it shall be the duty of said body to direct the payment of the purchase price thereof out of the general fund or general revenues of said city, such payment to be made only upon the execution and delivery of a good and sufficient deed for said land so purchased conveying the same to said city in fee simple for park purposes free and clear of encumbrances.

SEC. 4. This act shall be construed as an independent grant of power, and shall not supersede existing provisions of law providing for the acquisition of public parks, but the power hereby conferred may be exercised concurrently with such other existing authority.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 355.

R

H. F. No. 664.

An act to provide for carrying money from one county fund to another.

County funds.

03 c 355
93-M - 290
101-NW 180

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. When it is made to appear to the board of county commissioners of any county in this state that there has accumulated in any county fund more money than will be necessary to pay the proper demands to be made upon it during the then current year, and that there is not sufficient money in any of the other county funds to meet the proper demands for the current year upon such fund, then such board of county commissioners may order that so much of the surplus money in the fund first

May carry money from one fund to another.

mentioned as they see fit shall be transferred to such fund as shall not have sufficient money to meet the necessary demands for such year *provided, however*, that the provisions of this act shall not apply to counties having a population of 75,000 or more.

Unanimous
vote of
commission-
ers.

Provided further that no such funds shall be transferable unless so ordered by unanimous vote of the county commissioners.

SEC. 2. That upon the making of such order by said board the auditor and treasurer of such county shall, without delay, make the proper entries in their books to carry said order into effect.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 671.

CHAPTER 356.

R

Automobile
regulations.

An act regulating automobiles, motor vehicles or motor cycles on public roads, highways and streets within the State of Minnesota.

Be it enacted by the Legislature of the State of Minnesota:

Not faster
than 8
miles per
hour.

SECTION 1. No person, driver or operator in charge of any automobile, motor vehicles or motor cycle on any public road, highway or street within the state shall drive, operate, move, or permit the same to be driven, operated or moved at a rate of speed faster than eight (8) miles per hour within the thickly settled or business portion of any city or village within this state, nor outside of such thickly settled or business portion of any city or village on any public road, highway or street, at a rate of speed faster than twenty-five (25) miles per hour, nor over any crossing or crosswalk within the limits of any city or village, at a rate faster than four (4) miles per hour when any person is upon the same.

SEC. 2. The driver or operator in charge of any automobile, motor vehicle or motor cycle on any public road, highway or street within this state when signaled by the driver of any vehicle propelled by horses, shall stop said automobile, motor vehicle, until the other vehicle has passed.

SEC. 3. Every automobile, motor vehicle or motor cycle, when driven on any public road, highway or street

within this state shall, during the hours of darkness, have fixed upon some conspicuous part thereof, at least one lighted lamp suitable for the use of said automobile, motor vehicle or motor cycle, respectively.

SEC. 4. Every automobile, motor vehicle or motor cycle using gasoline as motive power shall use the "muffler," so called, and the same shall not be cut out or disconnected within the limits of any city or village within this state. Every automobile, motor vehicle or motor cycle shall be provided with a bell or horn, which shall be rung or blown whenever there is danger of collision or accident. The driver or operator of every automobile, motor vehicle or motor cycle shall be governed by the usual law of the road by turning to the right in meeting vehicles, teams and persons moving or headed in an opposite direction, and by turning to the left in passing vehicles, teams and persons moving or headed in the same direction.

Shall be provided with bell or horn.

SEC. 5. Before any automobile, motor vehicles or motor cycle shall be driven or operated upon any public road, highway or street within this state, the owner thereof shall take out a license for said automobile, motor vehicle or motor cycle, which said license shall be issued by any state boiler inspector in the county where such automobile, motor vehicle or motor cycle is owned. Any person obtaining such license shall pay for the same the sum of two dollars (\$2.00) to said boiler inspector, who shall issue such license and shall record each license issued by number in consecutive order. The number of each license shall be painted in plain figures upon the back part of each machine in a conspicuous place, and said figures shall not be less than four and one-half ($4\frac{1}{2}$) inches high and of proportionate width.

License required.

To be painted on vehicle.

Provided, however, that nothing in this section contained shall be construed to refer to any driver or operator of any automobile, motor vehicle or motor cycle licensed by any municipality in this state, nor to any automobile, motor vehicle or motor cycle, the numbering of which is provided for by any such municipality.

SEC. 6. Any boiler inspector issuing a license shall keep a correct record of all licenses issued in a book to be kept for that purpose.

He shall make a correct report to the county treasurer of the county in which he resides at the end of each month

Report to county treasurer.

of all licenses issued during the month, if any, together with one-half of all fees collected, and shall turn over to such county treasurer one-half of all such fees; the other one-half of the fees so collected he shall be allowed to retain for his services for issuing such licenses.

SEC. 7. Any person violating any of the provisions of this act is guilty of a misdemeanor.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

N. F. No. 674.

CHAPTER 357. *R*

Night
schools.

An act amending section 3808 of the Statutes of the State of Minnesota, for the year 1894, by adding a subsection thereto, authorizing boards of education to operate and maintain night schools and classifying the students attending for certain purposes.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Section 3808 of the Statutes of Minnesota for the year 1894, is hereby amended by adding at the close thereof, the following, an additional subdivision:

Fourteenth:

To establish and maintain public evening schools as a branch of the public schools of the district, and such evening schools when so maintained, shall afford a continuous session of not less than two hours on each school day, shall be available to all persons over ten years of age who, from any cause, are unable to attend the public day schools, and attendance at such evening schools shall entitle such district maintaining the same to its pro rata apportionment of state school funds for all pupils not over twenty-one years of age, the same as if such pupils attended the day schools of such district; except as herein provided, such evening schools shall be under the same regulations as day schools of like grade.

SEC. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

Sessions of
two hours.

CHAPTER 358.

H. F. No. 326.

An act to appropriate money for the construction of a State House in Itasca State Park.

Itasca
State
Park.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the sum of five thousand dollars (\$5,000) is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the purpose of building a state house in Itasca State Park, for the accommodation of the park commissioners and visitors.

Provides
for building
state
house.

Said amount of money may be expended under the direction of the governor and attorney general in the construction of a state house and necessary appurtenances, in the purchase of furnishings therefor and the improving of the grounds, upon the shore of Itasca Lake in said park, upon a site heretofore selected by the attorney general.

Said expenditures shall be audited by the state auditor and paid out upon vouchers duly approved by the governor and attorney general.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 359.

R

H. F. No. 331.

An act to amend section 2 of chapter 186 of the Gen. Laws of Minnesota for 1895, as amended by chapter 192 of the Gen. Laws of Minnesota for 1897, being an act entitled: An act to provide for special instruction in the common school branches in state high schools, and to appropriate money for the same.

Money
for common
school
branches.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 2 of chapter 186 of the General Laws of Minnesota for 1895, as amended by chapter 192 of the General Laws of Minnesota for 1897, be and the same is hereby amended so as to read as follows:

"Sec. 2. That whenever the board of education in any city or village in the State of Minnesota, in which there is a state high school, having a four (4) years course, and classes doing work in each of the four (4) grades

Provide for
special
instruction.

Examined
by high
school
inspector.

\$750.00.

therein, shall provide for special instruction in the common school branches, reading, literature, writing, geography, arithmetic, English grammar, United States history, civil government, in a manner which shall be most helpful to persons intending to teach said branches; and when the said board of education shall have notified the state high school board that the provisions of this statute shall have been fully complied with, it shall be the duty of said state high school board to have the said school examined by the state high school inspector; and if upon said examination it shall appear that the local school board having charge of the high school so examined has fully complied with the provisions of this statute, the state high school board shall thereupon certify the facts to the state auditor; and the state auditor shall at the end of the school year eighteen hundred and ninety-six (1896) and upon the close of each succeeding school year, so long as the special instruction in the common school branches above described shall continue to be given in accordance with the provisions herein set forth, issue his warrant upon the state treasurer for the sum of seven hundred and fifty (750) dollars in favor of the board of education having charge of the schools in which the above described work is done. *Provided, however,* that the state high school board shall certify each and every year to the work of each high school applying for aid under this statute before the state auditor's warrant shall issue upon the state treasurer."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 342.

CHAPTER 360.

Legalizing
conveyances
heretofore
made

03 c 360
98-M - 4
107-NW 557

An act to legalize conveyances heretofore made under the provisions of sections one hundred and one (101) and one hundred and two (102) chapter one (1) General Laws of Minnesota for the year one thousand and eight hundred seventy-eight (1878) and amendments thereto,

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That all deeds heretofore issued by any county auditor in the State of Minnesota under the direc-

tion of the state auditor and conveying real property purchased from the State of Minnesota under the provisions of sections 101 and 102 of chapter 1, of General Laws of Minnesota for the year 1878 and amendments thereto (section 1616 and 1617 Statutes 1894) and on which real property so conveyed the taxes then due, but not delinquent, were not included in the amount of the purchase price, are hereby legalized and made valid and effective to all intents and purposes to the same extent as if said taxes then due, but not delinquent had been added to and included in the amount paid for said real property.

Provided that in all cases where the notice of expiration provided for in section 1654, Statutes of Minnesota of 1894, has actually been given, and the full period of redemption has expired, this act shall not apply until a new notice of expiration has been given and served according to law.

SEC. 2. This act shall not affect any action now pending in any court.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 361.

R

H. F. No. 344.

An act to amend section twenty-two (22) of chapter three hundred fifty-two (352) of the General Laws of Minnesota for the year 1889, as amended by section two (2) of chapter one hundred thirty-eight (138) of the General Laws of Minnesota for 1901, relating to state aid for rural schools.

State aid
for rural
schools.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section twenty-two (22) of chapter three hundred fifty-two (352) of the General Laws of the State of Minnesota for 1889, as amended by section two (2) of chapter one hundred thirty-eight (138) of the General Laws of the State of Minnesota for the year of 1901, be amended as follows:

Section 22. Any common school district in this state, not entitled to state aid as a high school, graded school or semi-graded school, but fully complying with the conditions of this act relating to state rural schools, may re-

ceive aid as hereinafter provided for state rural schools, for each school building therein situated, wherein school shall have been maintained as hereinafter provided.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 350.

CHAPTER 362.

R

03 c 362
97-M - 125
105-NW 1127
97-M - 102
106-NW 477
5-LRA
(n s) 327

An act to amend section two hundred and twenty-nine (229) of chapter one (1) of title ten (10) of the penal code of the State of Minnesota.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Section two hundred and twenty-nine (229) of the penal code of the State of Minnesota is hereby amended so as to read as follows:

Trading
on Sunday
prohibited.

Public Traffic—All manner of public selling or offering for sale of any property upon Sunday is prohibited, except that meals may be sold to be eaten on the premises where sold or served elsewhere by caterers; and prepared tobacco in places other than where spirituous or malt liquors or wines are kept or offered for sale, and fruits, confectionery, newspapers, drugs, medicines and surgical appliances may be sold in a quiet and orderly manner; *provided, however,* that nothing in this section shall be construed to allow or permit the public sale, or exposing for sale of uncooked meats, fresh or salt, or groceries, dry goods, clothing, wearing apparel of any kind, or boots or shoes.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 362.

CHAPTER 363.

R

Preservation
of forests.

An act to amend an act entitled "An act to provide for the preservation of forests of this state and for the prevention and suppression of forest and prairie fires."

Be it enacted by the Legislature of the State of Minnesota:

Forest com-
missioner.

SECTION 1. The state auditor shall be forest commissioner of this state and his orders shall be supreme in all matters relating to the preservation of the forests of this

state to the prevention and suppression of forests and prairie fires as hereinafter provided. The supervisors of towns, mayors of cities and presidents of village councils are hereby constituted fire wardens of their respective towns, cities and villages in the state and the chief fire warden may appoint as fire wardens such other persons as he may deem necessary living in or near to unorganized territory in this state, whose districts, to be known as fire districts, he may determine.

SEC. 2. The aforesaid forest commissioner shall appoint a competent deputy to be known as chief fire warden, who, from personal experience, is familiar with the conditions of the forest and methods by which fires may be controlled. Said chief fire warden shall receive a salary of twelve hundred (\$1,200) dollars per year, to be paid out of the amount appropriated for forest preservation, and shall hold his office during the pleasure of the forest commissioner. He shall represent the authority of the forest commissioner and it shall be his duty to enforce the provisions of this act throughout the state.

Chief fire
warden.

Compensa-
tion.

SEC. 3. The chief fire warden shall have general charge of the fire warden force of the state and shall have authority to mass such fire warden force as may be available at any special point to suppress fires. In case the fire warden force of any locality is deemed by said chief fire warden inadequate to prevent or suppress forest or prairie fires, he may appoint, temporarily, needed fire wardens, whose duties and authority shall be the same as herein given to town supervisors acting as fire wardens. He shall properly divide into fire districts all unorganized territory in this state and appoint competent fire wardens therein; he shall co-operate with any police or military force of the United States government which may be detailed to guard the national domain from fire; he shall investigate the extent of the forests in the state, together with the amounts and varieties of the wood and timber growing therein, the damages done to them from time to time by forest fires and the causes of such fires, the method used, if any, to promote the regrowth of timber, and any other important facts relating to forest interests, which may be required by the forest commissioner. The information so gathered with his suggestions relative thereto, shall be included in a report to be made by him annually to the forest commissioner.

Duties of
chief fire
warden.

Abstract
of penal
laws.

SEC. 4. The forest commissioner shall provide and officially sign an abstract of the penal laws of this act, with such rules and regulations in accord therewith as he may deem necessary, and on or before the first day of April of each year he shall forward as many copies as he considers needful to the chairman of each town board of supervisors and presidents of villlages, to the forest fire wardens that he has appointed, and to all railroad companies and to the chairman of each board of county commissioners in this state, and it shall be the duty of said fire warden to post up such abstract as warning placards in conspicuous places in their respective districts, and it shall be the duty of the county commissioners of each county to cause the said abstract to be published in at least three issues of the official paper in their respective counties during the fire-dangerous season of each year, which shall be reckoned from the 15th day of April to the 1st of November.

Publication
of notice.

Expenses
paid by State.

SEC. 5. During a dry and dangerous season, when forest and prairie fires are prevailing or are liable to break out, the chief fire warden shall use such means under his command as he may deem necessary to prevent or suppress such fires, and his expenses shall be paid by the state, which expenditures in one year shall not exceed five thousand dollars, to be paid for out of the general revenue fund, upon the order of the forest commissioner.

Duties of
fire wardens.

SEC. 6. It shall be the duty of each fire warden to take precautions to prevent the setting of forest or prairie fires, to patrol his district in a dry season, or under the direction of the chief fire warden, to employ one or more patrols, to warn against careless use of fire any person he thinks is likely to be negligent therein, and when his district is suffering or threatened with fire, to go to the place of danger to control such fires, and each forest fire warden shall have authority to call to his assistance in emergencies any able-bodied male person over eighteen years of age, and if such person refuses, without reasonable justification or excuse, to assist, or if any fire warden refuses or neglects to perform the duties assigned him in this act, such officer or person shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not more than one hundred (\$100) dollars, or imprisonment in the county jail not to exceed three (3) months.

Penalty
for viola-
tion of
section.

SEC. 7. The chief fire warden and the several fire wardens created or appointed under this act shall have authority to enforce the provisions of this act, and it shall be their duty to co-operate with the fire warden of any adjoining district, and in the absence of such fire wardens to direct the work of control and extinguishment of forest or prairie fires in such district, and to arrest, without warrant, every person found violating any provisions of this act, and to forthwith take the offender before a magistrate and make complaint against such person. Any fire warden who knows or has information of facts and circumstances which he believes can be established, and which if so proven would show beyond reasonable doubt that any person has caused a fire in violation of this act, shall immediately go before a justice of the peace and make complaint thereof. The chairman of boards of township supervisors, presidents of villages and fire wardens appointed by the chief fire warden shall without delay inquire into the cause of each forest or prairie fire within their districts, and shall immediately report the same to the chief fire warden and the methods used to control or extinguish such fires and the amount and value of property destroyed and the number of lives lost, if any, and report such other facts in regard to said fires as said chief fire warden may require. During the more dangerous season of the year the chief fire warden may require frequent reports from the chairmen of township boards, or in unorganized towns from fire wardens appointed by the said chief fire warden as to condition of forest and prairie fires and as to what is being done to prevent and control the same. Fire wardens shall promptly comply with the instructions of the chief fire warden. Where local authorities neglect to duly prosecute violations of this act, the chief fire warden shall be authorized to ferret out and prosecute such violations, and his expenses therefor, not exceeding one thousand (\$1,000) dollars in any one year, shall be paid out of the general revenue on approval of the state auditor and attorney general.

Authority
to enforce
provisions
of act.

Require
frequent
reports.

SEC. 8. Each fire warden shall receive for his actual services rendered under this act two (\$2) dollars per day, together with payment for use of team when required in making a break to control or extinguish a fire, one-third of which shall be paid by the county where such service is performed, and two-thirds by the state; and any employe

Pay of
wardens.

Itemized
account
required.

County
auditor to
draw
warrant.

Amount
expended
by county
limited.

engaged in like service shall receive at the rate of one and fifty one-hundredths (\$1.50) dollars per day, and said expense shall also be paid, one-third by the county where such service is rendered, and two-thirds by the state, as hereinafter provided, but no payment shall be made to any claimant under this act until he shall have presented an itemized account and made oath or affirmation before any officer qualified to administer oaths, or before any fire warden or town clerk, who are hereby authorized to administer such oaths, that said account is just and correct, which account shall be approved by the board of township supervisors, and shall be audited by the county commissioners, when satisfied of the justice of the claim, and left on file with the county auditor; in case of unorganized townships, the board of county commissioners alone shall approve and audit such accounts. Any account for services under this act which the county commissioners shall fail to audit within ninety days succeeding the second meeting of the board after the same shall have been presented shall be deemed to have been rejected and the claimant may then appeal to the district court or to the chief fire warden, and the decision of either shall be final. The appeal shall be taken in the manner as now provided for appeals from the decisions of county commissioners in respect of claim. The county auditor shall thereupon issue to each claimant his warrant upon the county treasurer for the entire sum to which such claimant is entitled, and the treasurer shall pay the same. Such county auditor shall transmit the original oath and copy of the warrant to the state auditor, who shall audit such claim, and two-thirds thereof shall be paid out of the state treasury from the general revenue fund by warrant issued by the state auditor upon the state treasurer in favor of the county thereof paying the same, and forward the same to the auditor of said county. *Provided*, that no fire warden shall be paid, in the aggregate, for more than fifteen (15) days' service, of whatever character, in any one year; nor shall any one person employed by fire wardens to assist in extinguishing or preventing forest or prairie fires be paid for more than ten (10) days of such service in any one year. No county shall expend more than five hundred (\$500) dollars of public money in any one year under this act on its own account.

SEC. 9. Any person who willfully, negligently or care-

lessly sets on fire, or causes to be set on fire, any woods, prairie or other combustible material, whether or not on his own lands, by means whereof the property of another is injured or endangered, or any person who willfully, negligently or carelessly suffers any fire set by himself to damage the property of another, is guilty of a misdemeanor and shall be punished by a fine not exceeding one hundred (\$100) dollars, or by imprisonment in the county jail not exceeding three (3) months. Any person who maliciously sets on fire, or causes to be set on fire, any wood, prairies or other combustible material whereby the property of another is destroyed and life is sacrificed, shall be punished with a fine of not over five hundred (\$500) dollars, or be imprisoned in the state prison for a term of not over ten (10) years, or both such fine and imprisonment.

Penalty
for willful
negligence.

SEC. 10. Any person who shall kindle a fire on or dangerously near to forest or prairie land and leave it unquenched, or shall be a party thereto, and every person who shall use other than incombustible wads for firearms, or who shall carry a naked torch, fire brand or other exposed light in or dangerously near to forest land, causing risk of accidental fire, shall be punished by a fine not exceeding one hundred (\$100) dollars or imprisonment in the county jail not exceeding three (3) months.

SEC. 11. Every person who shall willfully or heedlessly deface, destroy or remove any warning placard posted under the requirements of this act shall be liable to a fine not exceeding one hundred (\$100) dollars for each such offense, or imprisonment in the county jail not exceeding three (3) months.

SEC. 12. It shall be the duty of all railroad companies operating any railroad within this state to use efficient spark arresters on all their engines and to keep their right of way to the width of fifty (50) feet on each side of the center of the main track cleared of all combustible materials and safely dispose of the same within said limits of their right of way between the fifteenth day of April and the first day of December. No railroad company shall permit its employes to leave a deposit of fire or live coals, or hot ashes, in the immediate vicinity of woodland, or lands liable to be overrun by fires, and where engineers, conductors or trainmen discover that fences or other material along the right of way or woodland adjacent to the

Duties of
railroad
companies.

Seasons
of drouth.

railroad are burning or are in danger from fire, they shall report the same promptly at the next telegraph station that they may pass. In seasons of drouth railroad companies shall give particular instructions to their employes for the prevention and prompt extinguishment of fires and they shall cause warning placards furnished by the forest commissioner to be posted at their stations in the vicinity of forest and prairie grass lands, and where a fire occurs along the line of their road they shall concentrate such help and adopt such measures as shall be available to effectively extinguish it. Any railroad company violating the requirements of this act shall be deemed guilty of a misdemeanor and be punished by a fine not exceeding one hundred (\$100) dollars for each such offense, and railroad employes violating the requirements of this section shall be guilty of a misdemeanor and be punished by a fine of not less than five (\$5) dollars nor more than fifty (\$50) dollars. But this section shall not be construed to prohibit or prevent any railroad company from piling or keeping upon the right of way cross ties or other material necessary in the operation or maintenance of such railroad.

Portable
steam
engines.

SEC. 13. It shall be the duty of each and every owner of threshing or other portable steam engines to have efficient spark arresters on their engines at all times when in use, and no person in charge of any threshing engine shall deposit live coal or hot ashes from his engine in any place without putting them out or covering them with at least three inches of earth before leaving them. All persons violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than five (\$5) dollars nor more than fifty (\$50) dollars.

SEC. 14. Nothing in this act shall be construed as affecting any right of action for damages.

SEC. 15. Woodland territory within the terms of this act shall be construed to mean bodies of forest and brush land.

County
fire
fund.

SEC. 16. All moneys received as penalties for violating the provisions of this act shall be paid into the county treasury of the county wherein the offense occurred, to be known as the county fire fund, and used under the directions of the county board in defraying the expenses of enforcing the provisions of this act within such county.

SEC. 17. The sums mentioned in sections five (5) and seven (7) of this act, or so much thereof as shall be necessary are hereby annually appropriated out of any money in the treasury not otherwise appropriated.

SEC. 18. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 19. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 364.

R

H. F. No. 404.

An act to authorize and empower villages under certain circumstances to issue bonds for the payment of their outstanding indebtedness.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That any village in this State whose indebtedness at the time of the passage and approval of this act exceeds the sum of three thousand (3,000) dollars besides its bonded indebtedness, may issue its bonds for an amount as nearly as may be equal to the amount of such indebtedness, which bonds shall bear interest at a rate to be determined by the village council of said village, not to exceed the rate of six (6) per cent per annum, payable semi-annually, and shall mature at such time as shall be determined by said village council, not to exceed fifteen years from the date of their issuance. Such bonds shall be sold by the village council of such village in such manner as they shall deem advisable, but shall not be sold for less than their par value, and the proceeds arising from the sale thereof shall be applied to the payment of the debts of said village not represented by its bonds.

Provides for payment of outstanding indebtedness of villages.

SEC. 2. Before any bonds shall be issued pursuant to the provisions of section one (1) of this act, the village council shall, by resolution, authorize the issuance thereof, subject to the approval of the legal voters of said village, and by such resolution such village council shall determine the amount of bonds to be issued, the rate of interest which they shall bear and the time of their maturity, and shall fix a time, either at an annual village election, or at a special election to be called for that purpose, when the voters of said village shall vote upon the

Authorization of bonds.

question of the issuance of said bonds, and at the time so fixed by such village council the legal voters of such village shall vote upon the question of the issuance of such bonds. The form of the ballot therefor shall be as follows:

Form of
ballot.

"Said village of issue its bonds in the sum of.....dollars, bearing interest at the rate of.....per cent per annum, payable semi-annually, and ma- turing years after the date thereof, pursuant to a resolution of the village coun- cil of said village passed on the day of 189....	Yes.	No.
---	------	-----

Voters who desire to vote for the issuance of such bonds shall place a cross opposite the word "Yes" on said ballot, and those who desire to vote against the issuance of such bonds shall place a cross opposite the word "No" on said ballot. If a majority of the voters who vote upon said question shall vote for the issuance of such bonds, then the same shall be issued, otherwise they shall not be issued.

SEC. 3. The right to issue such bonds shall not be affected by the amount of the bonded indebtedness of such village at the time of the issuance thereof pursuant to this act.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 904.

CHAPTER 365.

An act fixing and regulating the salaries, compensation, duties and help of county officers in counties having, or which may hereafter have, a population of 200,000 inhabitants or over.

Be it enacted by the Legislature of the State of Minnesota:

Salaries
of county
officers
in counties
of 200,000
inhabitants
and over.
Sheriff's
duties.

SECTION 1. The salary of the sheriff of each county of this state having, or which may hereafter have, a population of 200,000 inhabitants or over, shall be four thousand five hundred dollars per annum.

SEC. 2. The sheriff shall perform all the duties and services now, or which may hereafter be, required by law

to be performed by him, and in addition shall serve all papers, post all notices named by law to be served or posted in behalf of the state or of the county for which he is elected, including all papers to be served or notices to be posted by the board of the county commissioners, the county auditor, or by any other county officer.

SEC. 3. The sheriff shall then appoint and employ one chief deputy, who shall be paid the sum of eighteen hundred dollars per annum; one jailer who shall be paid twelve hundred dollars per annum; two outside deputies, who shall be paid fifteen hundred dollars per annum each, and each of whom shall be required, in addition to the services to be performed for such compensation, to keep and maintain a team, and to pay his own traveling expenses within said county while in the performance of his official duties assigned to him as such; one outside city deputy to attend to the service of criminal and other process, who shall receive a salary of twelve hundred dollars per annum, and one other outside deputy, who shall receive a salary of eleven hundred dollars per annum; one deputy for the care of the insane and such other duties as the sheriff may require of him, who shall receive a salary of nine hundred dollars per annum; one assistant jailer, who shall receive a salary of one thousand dollars per annum; one night watchman, who shall receive a salary of nine hundred dollars per annum; one bookkeeper, who shall receive a salary of one thousand dollars per annum; one deputy who shall have charge of juries, who shall receive a salary of seven hundred and fifty dollars per annum; one stenographer, who shall also be a deputy sheriff, and shall receive a salary of six hundred dollars per annum; one matron, who shall receive a salary of five hundred dollars per annum; one cook, who shall receive a salary of six hundred dollars per annum.

Provides
for deputies
and compensation.

SEC. 4. The sheriff shall also appoint and employ as many court room deputies as there are district court judges in and for said county, who shall attend the courts of said judges and perform such other duties pertaining to the sheriff's office as the said sheriff may require, and the compensation of each of said deputies shall be nine hundred dollars per annum. For all services rendered by the sheriff he shall be allowed and paid from the county treasury his actual expenses necessarily incurred by him in the performance of such services. That an expense

Court
room
deputies.

Office
expenses.

fund of five hundred (500) dollars be set aside out of the first five hundred (500) dollars received as fees from and after the passage of this act to be used by the sheriff to meet the current monthly expenses of the office, the money so used to be replaced in said fund at the end of each month when such expense is allowed.

County
auditor's
salary.

SEC. 5. The salary of the auditor of each county of this state having, or which may hereafter have, a population of 200,000 inhabitants or over, shall be four thousand five hundred dollars per annum.

Provision
for clerks.

SEC. 6. The auditor shall appoint and employ one chief deputy, who shall be paid the sum of eighteen hundred dollars per annum; one deputy and commissioner's clerk, who shall be paid the sum of fifteen hundred dollars per annum; one draftsman, who shall be paid the sum of thirteen hundred dollars per annum; one deputy and one settlement clerk, who shall be paid the sum of twelve hundred dollars per annum each; two counter deputies, who shall be paid the sum of eleven hundred dollars per annum; six general clerks, who shall be paid the sum of one thousand dollars per annum each.

Salary
of county
attorney.

SEC. 7. The salary of the county attorney of each county of this state having, or which may hereafter have, a population of 200,000 inhabitants or over, shall be four thousand five hundred dollars per annum.

Assistants
and com-
pensation.

SEC. 8. The county attorney shall appoint and employ one assistant, known as first assistant county attorney, who shall be paid the sum of twenty-four hundred dollars per annum; one assistant, who shall be known as second assistant and attorney for county commissioners, who shall receive a salary of two thousand dollars per annum; one assistant, who shall be known as third assistant, who shall receive a salary of eighteen hundred dollars per annum; one assistant, who shall be known as the fourth assistant, who shall receive a salary of fourteen hundred dollars per annum; one stenographer, who shall receive a salary of seven hundred and twenty dollars per annum.

Register
of deeds
salary.

SEC. 9. The salary of the register of deeds of each county of this state having, or which may hereafter have, a population of 200,000 inhabitants or over, shall be four thousand dollars per annum.

Assistants
and com-
pensation.

SEC. 10. The register of deeds shall appoint and employ one chief deputy, who shall be paid fifteen hundred dollars per annum; one second deputy, who shall be paid

one thousand dollars per annum; one indexer, who shall be paid nine hundred dollars per annum; one chief comparer, who shall be paid nine hundred dollars per annum; one assistant comparer, who shall be paid seven hundred and twenty dollars per annum; one assistant indexer and comparer, who shall be paid seven hundred dollars per annum; one vault clerk, who shall be paid seven hundred and eighty dollars per annum.

SEC. 11. The salary of the clerk of court of each county of this state having, or which may hereafter have, a population of 200,000 inhabitants or over, shall be four thousand dollars per annum.

Salary
of clerk
of court.

SEC. 12. The clerk of court shall appoint and employ one chief deputy, who shall be paid the sum of eighteen hundred dollars per annum; one judgment deputy clerk, who shall be paid twelve hundred dollars per annum; one judgment search and document clerk, who shall be paid one thousand dollars per annum; one deputy for marriage licenses, certificates, etc., who shall be paid eleven hundred dollars per annum; one deputy for criminal work, who shall be paid fourteen hundred dollars per annum; one assistant deputy clerk for criminal court, who shall be paid one thousand dollars per annum; one shorthand reporter and deputy clerk, who shall be paid one thousand dollars per annum; one indexer and vault clerk, who shall be paid one thousand dollars per annum; five court room deputies, who shall be paid one thousand dollars per annum each.

Assistants
and com-
pensation.

SEC. 13. The salary of the county surveyor of each county of this state having, or which may hereafter have, a population of 200,000 inhabitants or over, shall be twenty-five hundred dollars per annum; and in addition thereto the county surveyor shall be allowed and paid from the county treasury his actual expenses necessarily incurred in the performance of his services.

County
surveyor.

SEC. 14. The county surveyor shall appoint and employ two deputies, who shall be paid the sum of one thousand four hundred and fifty dollars per annum each, and each of whom shall be required, in addition to the services to be performed for such compensation, to keep and maintain a team and to pay his own traveling expenses within said county while in the performance of his official duties assigned to him as such; one clerk, who shall be

County sur-
veyor and
deputies.

paid the sum of seven hundred and eighty dollars per annum.

Treasurer's
salary.

SEC. 15. The salary of the county treasurer of each county of this state having, or which may hereafter have a population of 200,000 or over, shall be paid four thousand five hundred dollars per annum.

Deputies
and clerks.

SEC. 16. The county treasurer shall appoint and employ one chief deputy, who shall be paid the sum of one thousand eight hundred dollars per annum; one deputy, who shall have charge of the statement department in said office, who shall be paid the sum of eleven hundred dollars per annum; three statement clerks, who shall be paid the sum of one thousand dollars per annum each; one cashier or teller, who shall be paid the sum of one thousand dollars per annum; one accountant, who shall be paid the sum of nine hundred dollars per annum.

Coroner's
salary.

SEC. 17. The salary of the county coroner of each county of this state having or which may hereafter have, a population of 200,000 inhabitants or over, shall be four thousand dollars per annum.

Deputies.

SEC. 18. The county coroner shall appoint such deputies and employ such help as may be necessary for the carrying on of the work in said office, said help shall be paid by the coroner out of the salary received by him as such county coroner, set forth in section 17 of this act.

Compensation
of judge of
probate.

SEC. 19. The salary of the judge of probate of each county of this state having or which may hereafter have, a population of 200,000 inhabitants or over, shall be forty-five hundred dollars per annum.

Clerks
and com-
pensation.

SEC. 20. The judge of probate shall appoint and employ one clerk of court, who shall be paid the sum of twenty-five hundred dollars per annum; one deputy clerk of court, who shall be paid the sum of eleven hundred dollars per annum; and three general clerks, who shall be paid the sum of seven hundred and eighty dollars per annum each. The judge of probate and clerk of probate court shall charge the same fees for his services as are now or may hereafter be allowed by law, and all such fees so charged and collected in said office shall be paid into the county treasury.

Paid
monthly.

SEC. 21. The above named salaries and compensation of the county officials, deputies, clerks and employes shall be paid monthly in the same manner as county officials are now paid, and the same shall be in full compensation for

all services rendered by said county officers, deputies, clerks and employes, respectively, in their capacity.

SEC. 22. The board of county commissioners in counties of this state having, or which may hereafter have, a population of 200,000 inhabitants or over, shall appoint and employ such additional help for the respective offices as to them may seem just and proper in the carrying on of the work in said offices, and fix the compensation to be paid therefor.

SEC. 23. That sections one, five, fifteen, that part of section three relating to salary of the two outside deputy sheriffs, and that part of section eight relating to the salary of the second assistant county attorney, of this act, shall take effect and be in force from and after January 2, 1905.

SEC. 24. That all the provisions of this act, except said sections one, five, fifteen, and that portion of sections three and eight described in section twenty-three, shall take effect and be in force from and after the first day of January, 1904, except that the provisions of section 3 of this act, relative to the employing by the sheriff of one outside deputy and one stenographer and deputy shall take effect and be in force from and after the passage of this act.

In effect
Jan. 1, 1904.

SEC. 25. All acts or parts of acts inconsistent with this act are hereby repealed.

Approved April 21, 1903.

CHAPTER 366. *R*

H. F. No. 407.

An act to amend sections fourteen (14), nineteen (19), twenty-five (25) and twenty-eight (28), chapter three hundred fifty-two (352), General Laws of Minnesota of 1899, as amended by sections two (2), three (3), four (4) and five (5) respectively, of chapter one hundred eighty-nine (189), General Laws of Minnesota of 1901, relating to certain schools.

Relating to
schools.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section fourteen (14) of chapter three hundred fifty-two (352), General Laws of Minnesota of 1899, as amended by section two (2) of chapter one hundred eighty-nine (189), General Laws of Minne-

sota of 1901, be and the same is hereby amended so as to read as follows:

Apportion
funds to
graded
schools.

Section 14. The said board shall receive applications from such schools for state aid and shall apportion to each of said graded schools which shall have complied with the provisions of this act and the rules of the board, relating to state graded schools, and whose application shall have been approved by such board, the sum of sum of five hundred fifty (550) dollars in each year.

Pro rata
among all
schools.

Provided, however, that in case the amount appropriated and available under this act for the payment of aid to such schools shall in any year be insufficient to apportion to each of such graded schools as are entitled thereto the full amount of five hundred fifty (550) dollars then in such amount as is appropriated and available shall be apportioned pro rata among all the schools entitled thereto; and *provided further,* no graded school which shall be connected with or in the same district with a state high school shall receive any aid under the provisions of this act.

Superintendent
of public
instruction
to apportion.

SEC. 2. That section nineteen (19) of chapter three hundred fifty-two (352), General Laws of 1899, as amended by section three (3) of chapter one hundred eighty-nine (189), of the General Laws of 1901, be and the same is hereby amended so as to read as follows:

Section 19. The said superintendent of public instruction shall apportion to each of said schools which shall have fully complied with the provisions of this act, and such rules of a general nature as may be established by him relating to semi-graded schools the sum of two hundred fifty (250) dollars in each year.

Provided, however, that in case the amount appropriated and available under this act for in payment of aid in such schools shall in any year be insufficient to apportion to each of said state semi-graded schools as are entitled thereto, the full amount of two hundred fifty (250) dollars, then in such case such amount as is appropriated and available shall be apportioned pro rata among all the schools entitled thereto.

SEC. 3. That section twenty-five (25), of chapter three hundred fifty-two (352), of General Laws of Minnesota of 1899, as amended by section 4 of chapter one hundred eighty-nine (189), General Laws of Minnesota

1901, be and the same is hereby amended so as to read as follows:

Section 25. Said superintendent of public instruction shall apportion to each of said schools fully complying with the provisions of this act and such rules of a general nature as may be established by him in relation to state rural schools, the sum of one hundred twenty-five (125) dollars in each year; *provided, however*, that in case the amount appropriated and available under this act for the payment of aid to such schools shall in any year be insufficient to apportion to each of said state rural schools as are entitled thereto, the full amount of one hundred twenty-five (125) dollars, then in such case such amount as is appropriated and available shall be apportioned pro rata among all the schools entitled thereto.

\$125 for
each state
rural school.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 367.

H. F. No. 414.

An act relating to the election and qualification of county superintendents of schools in counties which contain cities having over fifty thousand inhabitants.

Election of
superintendent
of
schools in
counties of
over 50,000.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The electors residing within the corporate limits of any city having over fifty thousand inhabitants, according to the last then completed state or national census, shall hereafter take no part in the election of the county superintendent of schools for the county in which said city is situated, and the person holding said office shall not reside within the corporate limits of any such city.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 418.

CHAPTER 368.

R

Weights
and
measures.

An act to amend section 6 of chapter 21 of the General Statutes of 1878, being sections 2200 and 2201 of the General Statutes of 1894 relating to weights and measures.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 6 of chapter 21 of the General Statutes of 1878, being sections 2200 and 2201 of the General Statutes of 1894 be amended to read as follows, viz:

Standard
measures,
dry.

Dimensions for selling commodities by dry measure: The unit or standard measure of capacity for all commodities sold by dry measure, from which all other measures shall be derived and ascertained, is the standard half bushel containing ten hundred seventy-five cubic inches and two-tenths of a cubic inch. The peck, half peck (or gallon), quarter peck, quart and pint measures for measuring such commodities shall be derived from the half bushel by successively dividing that measure by two, viz:

	Cubic inches.
Cubical contents of the standard half bushel.....	1,075.2
“ “ “ “ peck.....	537.6
“ “ “ “ half peck or gallon.....	268.8
“ “ “ “ quarter peck.....	134.4
“ “ “ “ quart.....	67.2
“ “ “ “ pint.....	33.6
“ “ “ “ bushel.....	2,150.4

Liquid
measures.

SEC. 2. Liquid measure: For all commodities in liquid form except beer and milk. The units or standards of measure of capacity for liquids from which all other measures shall be derived and ascertained shall be the standard wine gallon, containing two hundred thirty-one cubic inches and its parts and multiples, as follows, viz:

	Cubic inches.
The standard gallon contains.....	231
“ “ quart “	57.75
“ “ pint “	28.875
“ “ gill “	7.21875
“ “ barrel “	Gallons, 31.50
“ “ hogshead “	63

Beer and milk measures shall contain the following capacities: The gallon shall contain two hundred eighty-two cubic inches. The half gallon shall contain one hundred forty-one cubic inches, and the quart one-half as much and the pint one-half as much as the quart.

Beer and milk.

SEC. 3. Units of Length and Surface: The unit or standard measure of length and surface from which all other measures of extension, whether lineal, superficial or solid, shall be derived and ascertained, is the standard yard measure, which is divided into three equal parts called feet and each foot into twelve equal parts called inches.

Units of length and surface.

The rod, pole or perch contains five and one-half yards. The mile contains seventeen hundred sixty yards. The chain for measuring land is twenty-two yards long and is divided into one hundred equal parts called links. The acre contains ten square chains or one hundred sixty square rods. There are six hundred forty square acres in one square mile.

SEC. 4. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 369.

R

H. F. No. 429.

An act creating a state board of osteopathic examiners and registration and to regulate the practice of osteopathy in the State of Minnesota, to license osteopathic physicians and to punish persons violating the provisions of this act.

Regulating practice of osteopathy.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That within thirty days after the passage of this act the governor shall appoint a state board of osteopathic examiners and registration, consisting of five members, one to serve for one year, one to serve for two years, one to serve for three years, one to serve for four years and one to serve for five years and until their successors are appointed and qualified, and one each year thereafter, to the end that each member shall serve five years after the first appointment, who shall be resident osteopathic physicians of good standing in their profession

Governor to appoint board.

and graduates of legally chartered schools of osteopathy in good standing as such.

Provided that no member of said board shall be a member of the faculty of, or be financially interested in, any osteopathic school.

Officers.

Said board shall within fifteen days after being so appointed assemble at the capitol building in St. Paul, Minnesota, or at such other place as they may determine, and then and there organize by electing a president and secretary from among its members, each to serve for a term of one year and without salary.

Said board shall have a common seal and shall formulate rules to govern its actions. Its president and secretary shall have power to administer oaths.

**Meet
twice a
year.**

Said board shall meet at least twice in each year on the second Tuesday of the months of March and September, and at such other times and such places within this state, as a majority of the board shall deem necessary and convenient.

**Record of
proceedings.**

Three members of the board shall constitute a quorum for the transaction of business. The secretary of the board shall keep a record of its proceedings, and a register of applicants for licenses, giving the name and location of the institution granting the applicant the degree of Doctor of, or diplomat in osteopathy, or his certificate of attendance, the date of his diploma, and also showing whether the applicant was rejected or a license granted. The book and register of the board shall be prima facie evidence of all matters recorded therein.

**Qualification
of appli-
cants.**

SEC. 2. Any person engaged in the practice of osteopathy in this state prior to March 1st, 1903, shall within sixty days from the passage of this act, make application to the board of osteopathic examiners and registration for a license to practice, and shall exhibit to said board a diploma issued by a legally incorporated and regularly conducted school of osteopathy, and such applicant shall pass an examination in the following branches, to-wit: Anatomy, physiology, urinalysis, symptomology, pathology, gynecology, obstetrics, chemistry, toxicology, minor surgery, hygiene, dietetics, diagnosis, and theory and practice of osteopathy.

Provided, that the said applicant shall make affidavit that he is the person to whom the said diploma was issued,

and that he was engaged in the practice of osteopathy in this state prior to March 1st, 1903.

If such diploma or examination be satisfactory to a majority of the board, the board shall issue its license granting him the right to practice osteopathy in this state.

SEC. 3. Any person desiring to commence the practice of osteopathy in the State of Minnesota after March 1st, 1903, shall make a written application to the secretary of said board for a license, and appear at its first regular meeting thereafter. The applicant shall furnish evidence of having attended not less than four full courses of five months each at a legally incorporated school or college of osteopathy, recognized by the board, and wherein the curriculum of study shall include instruction in the following branches, to-wit: Anatomy, histology, physiology, pathology, gynecology, obstetrics, chemistry, including, urinalysis and toxicology, symptomatology, minor surgery, hygiene, dietetics, diagnosis, and theory and practice of osteopathy, and upon passing an examination in these studies satisfactory to a majority of the board, shall be granted a license to practice osteopathy in this state.

Written
application
for license.

Provided that holders of diplomas or certificates issued after September 1st, 1905, shall furnish evidence of having attended not less than three full courses of eight months each, no two of which shall be given in any one year; and *provided further*, that such examination may be waived as to any person or persons who have duly graduated from, and hold the diploma from any legally incorporated school or college of osteopathy recognized by said board having the curriculum of study herein specified, and who have duly practiced their profession in some other state or territory for a period of not less than two years preceding the date of their application.

Examination.

Must hold
diploma.

Said board may refuse to grant a license to any person guilty of unprofessional or dishonorable conduct, or any person guilty of a felony, or any person addicted to the liquor or drug habit to such a degree as to render him unfit to practice, and may, after notice and hearing (at which the person shall be entitled to appear personally or by attorney, and offer evidence), revoke for any such causes a license theretofore granted. The words "unprofessional or dishonorable conduct" as used in this section are hereby declared to mean:

May refuse
to grant
license.

Unprofes-
sional con-
duct.

1. The procuring or aiding or abetting in procuring a criminal abortion.

2. The obtaining of any fee by representing that a manifestly incurable disease can be permanently cured by them.

3. Conviction of any offense involving moral turpitude.

4. Willful betrayal of professional confidence or secrets to the detriment of a patient.

Fee of
\$20.

SEC. 4. All applications for licenses shall be accompanied by a fee of twenty dollars and such fee shall not be returned in the event of a failure to pass, but the applicant may, within one year after such failure present himself and be again examined without the payment of additional fee. All fees shall be paid to the secretary of said board and held by him as a special fund for meeting the expenses of said board, but said board shall create no expense exceeding the sum received from time to time, as fees or fines. The compensation and expense of each member and officer of said board shall be paid out of said fund, but in no case shall it exceed five dollars per day, per member, and three cents per mile actually traveled.

Compensa-
tion of
board and
officers.

Cannot
prescribe
drugs.

SEC. 5. The license provided for by this act shall not authorize the holder thereof to give or prescribe drugs for internal use nor to perform major surgery. Osteopathic physicians shall be subject to the same rules and regulations, both municipal and state, that govern other physicians in the control of contagious diseases, and shall be entitled to all privileges of other physicians in matters pertaining to public health.

Record in
office of
clerk of
court.

SEC. 6. Every person holding a license from the state board of osteopathic examiners and registration shall have it recorded in the office of the clerk of the district court in the county in which he or she expects to practice, and the date of recording shall be indicated thereon. Until such license is filed for record, the holder shall exercise none of the rights or privileges conferred therein. Said clerk shall keep in a book provided by him for the purpose a complete list of the licenses recorded by him with the date of record of such licenses. He shall be entitled to and receive a fee of one dollar for making such record.

Penalty
for violation
of act.

Any person who shall practice or attempt osteopathy in treating diseases or any ailment whatsoever of the human body, or who shall use any of the terms or letters "Osteo-

path," "Osteopathist," "Osteopathy," "Doctor of Osteopathy," "Diplomat in Osteopathy," or "D. O." or any other titles or letters under such circumstances as to induce the belief that the person who uses such terms is engaged in the practice of osteopathy, without having complied with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned in the county jail not less than thirty days nor more than six months, or both, in the discretion of the court. All such fines collected shall be paid one-half to the school fund of the county in which such prosecution is had, and one-half to the state board of osteopathic examiners and registration.

If the board or any member thereof has knowledge or notice that this act is being violated, such board or member shall investigate the matter, and upon probable cause appearing, shall file a complaint and institute prosecution against the offender, and it shall be the duty of the county attorney in the county in which such person resides or practices, when requested by said board or member thereof, or otherwise notified of such violation, to take charge of and conduct the prosecution under this act.

File
complaint.

Provided, however, that nothing in this act shall be construed as prohibiting, infringing upon, or in any manner interfering with any other school, art, system, or science of healing in this state from the practice of their profession as provided by the laws of the State of Minnesota.

SEC. 7. All acts and parts of acts conflicting with the provisions of this act are hereby repealed.

SEC. 8. The science of treating diseases, known as osteopathy, is hereby declared not to be the practice of medicine or surgery, within the meaning of existing medical laws of the state.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 469.

CHAPTER 370.

R

Incorporation
of villages
in certain
cases.

An act to extend the application of certain provisions of chapter 145 of the General Laws of 1885, the same being sections 1240 to 1245, both inclusive, of the General Statutes of 1894, relating to the incorporation, powers and duties of villages in certain cases.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That the provisions of sections 23 to 28 both inclusive of chapter 145 of the General Laws of 1885, the same being sections 1240 to 1245, both inclusive, of the General Statutes of 1894, relating to the incorporation, powers and duties of villages in certain cases, providing for the acquisition by agreement, purchase or condemnation of private property for public use by certain villages therein mentioned, be and the same are hereby extended to all villages within this state, however organized.

SEC. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 371.

H. F. No. 36.

An act to legalize sheriff's certificate in certain cases.

Legalizing
sheriffs'
certificates
in certain
cases.

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That no certificate heretofore executed under and by virtue of section six thousand thirty-eight (6038), chapter eighty-one (81), title one (1), Statutes of Minnesota, of one thousand eight hundred ninety-four (1894), shall be deemed invalid by reason of the same not having been made, executed, proved or acknowledged and recorded within the twenty days (20) mentioned in said section; or by reason of the affidavit of costs and disbursements as provided in section 6051 of the General Statutes of 1894 having been filed after the expiration of ten (10) days, and the record of all such certificates and affidavits heretofore executed, proved or ac-

knowledge and recorded after the expiration of the said twenty (20) days and ten (10) days respectively, is hereby legalized and made valid, and said record shall have the same force and effect as if said certificate had been executed, proved and acknowledged and recorded within the said twenty (20) days; and said affidavit within said ten (10) days, *provided* that nothing herein contained shall be construed to apply to cases now pending which involve the legality or validity of any such certificates of sales.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 372.

H. F. No. 80.

An act to provide for the preparation, purchase and distribution of a digest of the decisions of the supreme court of this state.

Digest of decisions.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The secretary of state is hereby authorized to enter into a contract with a person or corporation to be selected by the supreme court for the purchase of five hundred copies of a digest of all the decisions of the supreme court of this state to be prepared by such person or corporation.

Secretary of state authorized to make contract.

SEC. 2. Said digest shall be prepared by the person or corporation so selected in such manner as the supreme court shall direct. *Provided*, that all cases construing the Statutes of this state shall be digested in said digest by referring to the section of the Revised Statute now being compiled by the statute commission, and further, that all points decided in any case shall be digested.

Prepared by whom.

SEC. 3. Said contract shall be made subject to the supreme court and shall provide for paying for said digests at such a rate per set as the supreme court shall determine; *provided, however*, that the rate per set shall not exceed twelve dollars.

Shall not exceed \$12 per set.

SEC. 4. The secretary of state shall deliver to the librarian of the state library as many sets of such digest as such librarian may require for the use of the state library and for purposes of exchange, and shall deliver

Delivery of digest.

a set to each public official of the state who now is or who may be hereinafter, under the law, entitled to a set of the Minnesota Reports, and to such other public officials, boards, commissions, or legislative committees as may, in the opinion of the secretary of state, need the same in the discharge of their public duties.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 184.

CHAPTER 373.

R

Service of
summons.

An act to amend sections six thousand one hundred and eleven (6111) and six thousand one hundred and thirteen (6113) of chapter eighty-four (84) of the General Statutes of one thousand eight hundred and ninety-four (1894), relating to the service of summons in forcible entry and unlawful detainers.

Be it enacted by the Legislature of the State of Minnesota:

Method
of service.

SECTION 1. That section six thousand one hundred and eleven (6111), chapter eighty-four (84), of the General Statutes of one thousand eight hundred and ninety-four (1894), be amended so as to read as follows:

Section 6111. Such summons shall be served by delivering a certified copy thereof at least three days before the return day, as follows:

First. If the action is against a corporation, to the president or other head of the corporation, secretary, cashier, treasurer, a resident director or managing agent thereof.

Second. If against a minor under the age of fourteen years, to such minor personally, and also to his legal guardian, if any; otherwise to the father or mother of such minor; or if there is neither legal nor natural guardian of such minor within the state, then to any person having the care or control of such minor, or with whom he resides, or by whom he is employed.

Third. If against a person for whom a guardian has been appointed for any cause, to such guardian, and the defendant personally.

Fourth. In all other cases to the defendant personally; and in case personal service cannot be made as stated

above, then such summons may be served by leaving a certified copy thereof at the house of his usual abode with some person of suitable age and discretion resident therein, at least six days before the return day thereof, and the officer serving the same shall make a special return of the time and manner of serving said summons.

Service of
summons.

SEC. 2. That section six thousand one hundred and thirteen (6113), chapter eighty-four (84), of the General Statutes of one thousand eight hundred and ninety-four (1894), be amended so as to read as follows:

Section 6113. If, at the time of making said complaint, it appears that the person, against whom said complaint is made is absent from the county, the justice before whom the same is made shall issue his summons as hereinbefore provided, and make the same returnable not less than six nor more than ten days from the time of issuing the same; and such summons may be served by leaving a certified copy thereof at the last and usual place of such person's abode, not less than six days before the return day thereof. Such copy shall be left with some member of the family or some person residing at such place of suitable age and discretion. And if the officer cannot find in his county said person against whom such complaint is made, and said person has no last and usual place of abode therein, then such summons may be served by leaving a true and certified copy thereof upon the premises described in said complaint, not less than six days before the return day thereof. Such copy may be left with any person of suitable age and discretion using, occupying or in charge of said premises, or any part thereof, and such action shall thereupon proceed as though a personal service were made of said summons.

Return on
summons.

SEC. 3. This act shall take effect and be in force from and after its passage, and all acts and parts of acts inconsistent with the provisions hereof are hereby repealed.

Approved April 21, 1903.

H. F. No. 195.

CHAPTER 374.

R

Terms of
court, 9th
district.

An act prescribing the times of holding the general terms of the district court in the Ninth judicial district.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the general terms of the district court in the Ninth judicial district in the State of Minnesota shall be held at the times and in the several counties comprising said district as follows:

Redwood
county.

In the county of Redwood, on the third (3d) Tuesday in April, and on the first (1st) Wednesday after the first (1st) Monday in November of each year. In the county of Nicollet on the first (1st) Tuesday in May and on the Third (3d) Tuesday of October of each year.

Lyon
county.

In the county of Lyon, on the first (1st) Tuesday in June and on the third (3d) Tuesday in November of each year.

Brown
county.

In the county of Brown, on the third (3d) Tuesday in May and on the second (2d) Tuesday in December of each year.

Lincoln
county.

In the county of Lincoln, on the first (1st) Tuesday in October of each year.

SEC. 2. All writs, recognizances, bonds, continuances and proceedings issued, made or returnable to the district court of the several counties aforesaid, as fixed by law prior to the passage of this act, shall be and the same are hereby made returnable to the terms of said courts as the same are prescribed by the provisions of section one (1) of this act.

SEC. 3. All acts and parts of acts inconsistent with this act or prescribing any other time of holding any of said general terms of said court are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after August 1, 1903.

Approved April 21, 1903.

CHAPTER 375.

H. F. No. 235.

An act fixing the mileage and fees to be paid to constables, police officers and city and village marshals for serving and executing summons, process, subpoenas, commitments and other legal papers in criminal cases in counties having a population of not less than seventy-five thousand (75,000) and not more than one hundred and fifty thousand (150,000) inhabitants.

Mileage and fees of constables, police officers, etc.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all counties in this state that now have, or that may hereafter have, a population of not less than seventy-five thousand (75,000) and not more than one hundred and fifty thousand (150,000) inhabitants, sheriff or deputy sheriffs, constables, police officers and city and village marshals shall be paid at the rate of ten cents per mile actually traveled in serving or executing any summons, process, subpoena, commitment or any other legal paper in any civil or criminal case, when the distance actually and necessarily traveled in the service or execution and return of any such summons, process, subpoena, commitment or other legal paper does not in the aggregate exceed sixty miles. When the distance actually and necessarily traveled by any such sheriff or deputy sheriffs, constable, police officer, city or village marshal in the service or execution and return of any such summons, process, subpoena, commitment or other legal paper in any criminal case exceeds sixty miles in the aggregate, then such officer hereinbefore mentioned shall not be paid any mileage for any such service or execution and the return thereof, but he shall be paid therefor at a rate not to exceed three dollars per day for the time necessarily consumed in traveling and performing such duty, and in addition thereto he shall be paid all his necessary traveling expenses necessarily incurred therein and actually paid out in money.

Applies to counties of 75,000 to 150,000 inhabitants.

SEC. 2. No mileage fee or per diem shall be paid to any such sheriff or deputy sheriffs, constable, police officer, city or village marshal for the service, execution or return of any such summons, process, subpoena, commitment or other legal paper in any such criminal case when such officer is paid a salary by any city, village or muni-

No mileage when salary is paid.

cipality for performing such service, but such officer may be reimbursed for any money actually and necessarily paid out by him for necessary traveling expenses in the execution, service or return of any of such instruments herein enumerated.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby expressly repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 518.

CHAPTER 376.

R

An act to impose a tax on the property in this state of freight line companies.

Be it enacted by the Legislature of the State of Minnesota:

Taxation
of freight
line
companies.

SECTION 1. That any person or persons, joint stock association or corporation, wherever organized or incorporated, engaged in the business of operating cars, not otherwise listed for taxation in Minnesota, for the transportation of freight, whether such freight be owned by such company or any other person or company, over any railway line or lines, in whole or in part within this state, such line or lines not being owned, leased or operated by such company, whether such cars be termed box, flat, coal, ore, tank, stock, gondola, furniture or refrigerator car, or by some other name, shall be deemed a freight line company.

File
statement
with
auditor.

SEC. 2. Annually, during the month of July, every such freight line company shall make and file with the state auditor in the form prescribed by him a statement, verified by the oath of the person, agent or officer making the same, containing the facts existing on the first day of July and with reference to the business of such company for the fiscal year ending June thirtieth next preceding, as follows:

Contents of
statements.

1. Name of the company.
2. The nature of the company, whether a person, agent, trustee, lessee, receiver, mortgagee in possession, or other person, or a joint stock company, partnership, association or corporation.
3. The location of its principal office. If an associa-

tion, partnership, or corporation, when and where organized or incorporated.

4. The name and postoffice address of the person, or of its president, secretary, auditor, treasurer, superintendent or general manager.

5. The name and postoffice address of its chief officer or managing agent in Minnesota.

6. Its capital stock: (a), authorized; (b), issued.

7. The number of shares of stock: (a), outstanding; (b), not issued; (c), treasury.

8. The par and market value, or if there be no market value, the actual value of its shares of stock.

9. A statement of the situation and value of its real estate in Minnesota.

10. The actual cash value of its personal property, including moneys and credits, in Minnesota.

11. The total cash value of all its real estate situated outside of Minnesota.

12. The total value of all its personal property, including moneys and credits, situated outside of Minnesota.

13. The total number of miles of railroad over which the cars of said company were run during such year, and separately the number of miles over which said cars were run in this state, so as to show the total wheelage of such cars, and the wheelage in this state.

14. Such other facts or information as such company may deem material upon the question of the taxable value of its property within this state.

SEC. 3. The state board of equalization, as now existing or hereafter modified or changed, shall for the purpose of this act constitute a board of appraisers and assessors. The board shall annually, at its annual meeting, as herein provided, assess the property of freight line companies representing capital and property of such companies owned or used in Minnesota. On the meeting of the board, the state auditor shall lay before it the statements and schedules returned to him under section two (2) hereof. The state auditor shall by registered letter give notice to the officer of such company attesting its report of the time and place when and where such company may appear before the state board of equalization and be heard in respect to the assessment to be made upon its property.

Board of
appraisers
and as-
sessors.

State
auditor
to make
statement
to board.

SEC. 4. The state auditor shall lay before the said board at its meeting all statements made to or by him under the provisions of this act. After hearing the testimony or arguments which such company may offer, the board shall proceed to determine the true value in money of the entire property of such freight line company in Minnesota, according to the following rules:

Ascertain
value of
capital
stock.

(a) It shall find, ascertain and determine the actual value in money of the entire amount of the capital stock of such freight line company; and from the amount so obtained and determined, it shall deduct the actual value of all its real estate outside this state; and the remainder shall be taken and considered as the actual value of the capital stock of such company.

(b) The board shall then divide said amount by the total number of miles of railroad over which the cars of such company were run in order to obtain the value per mile, and shall then multiply such value so obtained by the total number of miles of railroad over which the cars of said company were run in this state; and the result shall be taken and considered as the actual cash value of the property of such freight line company within the state of Minnesota, and subject to the assessment and taxation in this state.

Report to
state
auditor.

SEC. 5. The state board of appraisers and assessors, shall, on or before the first Monday in October, report to the state auditor the amounts fixed by it as the value of the property of freight line companies in Minnesota; at the same time the board shall file with the state auditor the statement of the various companies and other papers before it. The rate of tax to be levied upon such assessment shall be the average rate of taxation in the state for all purposes, state and local, as shown by the abstracts of the tax lists of the various counties on file in the state auditor's office for the year in which the assessment of such freight line company is made.

Auditor
shall draw
for amount
of tax.

SEC. 6. It shall be the duty of the state auditor in the month of February following the assessment to make his draft upon such freight line company for the amount of tax found to be due under this act, and shall place said draft in the hands of the state treasurer for collection; said draft shall state the amount of the assessment, the rate of tax levy, and the amount of the tax, and such taxes when paid into the state treasury shall be in lieu

of all other personal taxes of every nature against such freight line company, and shall be credited to the general revenue fund in the state treasury.

SEC. 7. If any freight line company shall fail to make the report herein required, the state auditor shall proceed upon the best information he may be able to obtain to make a statement for such company, to be laid before the state board of assessment, as hereinbefore provided; and shall notify such company by registered letter of his action. Any such company may appear and be heard, as hereinbefore provided; but when the assessment is made the state board shall add to the amount of the tax ten per cent as a penalty for the failure of such company to make its report. And if any such freight line company shall fail to pay the tax levied against it as hereinbefore provided, the attorney general shall proceed by action, in the name of the state, against such company, to collect the same, together with a penalty of ten per cent on the total amount of such tax and costs of suit.

When
companies
fail to
report

SEC. 8. All acts and parts of acts in relation to the assessment and taxation of freight line companies, or in conflict with the provisions of this act, are hereby repealed.

SEC. 9. The state auditor shall furnish, upon application, the blanks to be used in making the statement called for by this act.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 377

R

H. F. No. 532.

An act to authorize the various counties of the state to pay bounties for killing crows.

Crow
bounty.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The board of county commissioners of the various counties of the state may authorize the destruction of crows at the expense of the county, and by resolution provide for the payment of a bounty not exceeding 10 cents for each crow killed during the periods between the fifteenth day of May and the fifteenth day of June, and between the fifteenth day of August and the fifteenth day of September of any year.

County
commission-
ers may
authorize
destruction.

Proof made
to county
auditor.

SEC. 2. Upon proof being made to the county auditor of the destruction of said crows within the county and the exhibition of the same to him, he is authorized to issue a warrant upon the county treasurer of the county, payable out of any general fund, in payment of the amount provided for in said resolution; and said treasurer is authorized to pay the same. Upon the issuance of such warrant the county auditor is directed to cause to be removed one of the feet of each of said birds before returning them to the party entitled to such bounty.

Provided, that the resolution passed by the board of county commissioners provided for by section 1 shall be in force and effect only during the calendar year in which it shall be adopted; but the same may be annually renewed.

May design-
ate part
of county.

The board of county commissioners may in the said resolution designate the whole county or any part thereof, or any part of any township or town in said county, as the territory to which the provisions of said resolution shall apply, and may restrict the provisions of said resolution to any part of the said county or any part of any township or town within the same.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 547.

CHAPTER 378.

R

Management
of county
jail.

An act to amend section nine (9), chapter one hundred and fifty-seven (157) of the laws of Minnesota for the year of 1893, being section seven thousand four hundred and twenty-five (7425) of the General Statutes of 1894, entitled, "An act to regulate the construction and management of county jails," as amended by chapter three hundred and sixty-three (363) of the General Laws of the State of Minnesota for the year of 1901.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section nine (9) of chapter one hundred and fifty-seven (157) of the laws of Minnesota for the year 1893, being section seven thousand four hundred and twenty-five (7425) of the General Statutes of 1894, as amended by chapter three hundred and sixty-three (363) of the laws of Minnesota for the year 1901,

be and the same is hereby amended so as to read as follows: The sheriff of each county maintaining a county jail shall have authority, with the consent and approval of the judges of the district court for each county, to appoint a matron, either the wife of the sheriff or jailer, or some other discreet and competent woman, who shall have exclusive charge, under the direction of the sheriff, of all female prisoners, and shall receive such compensation as the district judge shall from time to time determine, not less than fifty cents for each day when there are female prisoners confined in the jail. He shall have authority, with the consent and approval of the judge of the district court for said county, to appoint a jailor at such compensation as the judge of the district court may from time to time determine, not less than one dollar for each day when there are male prisoners confined in the jail. Whenever the average number of prisoners in any county jail for the six months pre[ceding] shall have been ten or more, the sheriff shall have authority, with the consent and approval of the judge of the district court, to appoint a night watchman, and whenever the average number of prisoners for the six months preceding shall have been twenty or more, are [an] assistant jailor; such night watchman and assistant jailor to receive such compensation as the judge of the district court may from time to time determine, not less than eighty-three cents each per day; *provided*, that such night watchman or assistant jailor shall be discharged whenever the average number of prisoners for the preceding six months shall have fallen below the number above prescribed. *Provided, however*, that in counties that have or may hereafter have a population of more than 150,000, and less than 200,000 inhabitants, that where the cells or cell rooms of any jail are situated on separate floors of the jail buildings, the sheriff shall in addition to the appointment of a matron, have authority, with the consent and approval of the judges of the district court for each county, to appoint not to exceed two jailors and two watchmen, and where one or more elevators are in use in said jail building, said sheriff shall have power and authority, with the consent and approval of the judge or judges of the district court for such county, to appoint not to exceed one person as operator for said elevator or elevators, which person shall be by said sheriff appointed a deputy sheriff. The said officers shall be sober, responsible persons, able to read

Appointment
of matron.

Jailor.

Compensa-
tion.

Qualifica-
tions of
officers.

and write the English language intelligently, and shall hold office subject to the pleasure of the sheriff or the district judge, and their compensation shall be paid monthly out of the county treasury upon the warrant of the county auditor.

Provided, that in counties having a population of twenty thousand (20,000) or less the sheriff may perform the duties of the jailor himself, and shall in such case be entitled to such compensation therefor as the judge of the district court for said county may from time to time determine and allow. .

SEC. 2. All acts or parts of acts, whether general or special, inconsistent herewith, are hereby repealed.

SEC. 3. This act shall take effect and be force from and after its passage.

Approved April 21, 1903.

H. F. No. 558.

CHAPTER 379.

R

Navigable
lakes
in part
of three
or more
counties.

An act to authorize the establishment and maintenance of uniform heights of water in the navigable lakes of this state, situated in part of three or more counties, in order to improve navigation therein, or to promote public health and welfare.

Be it enacted by the Legislature of the State of Minnesota:

Applies to
counties with
less than
150,000 in-
habitants.

SECTION 1. It shall be the duty of the county commissioners of each county, in counties having a population of less than 150,000 inhabitants, according to the last state or national census, in which is situated in part a navigable lake that is located in three or more counties, at their first meeting held after the passage of this act, to elect a person to act as a member of a board of navigation for such lake, who shall reside, at the time of the appointment and during the term of his appointment, within five miles of such lake, and that such member of such board shall hold his office until his successor is appointed and qualified.

Board of
navigation.

SEC. 2. That at the first regular meeting of said board of county commissioners of said counties occurring in the month of January, 1905, and every two years thereafter, said county commissioners shall elect a member of said board of navigation for such lake, who shall hold his office

for two years thereafter and until his successor is elected and qualified.

SEC. 3. Before entering upon the discharge of his duties he shall take the oath now required of other county officers and give a bond to his respective county in the penal sum of \$500.00 conditioned that he will faithfully and fairly perform all the duties of such office.

Oath and bond.

SEC. 4. Said board of navigation of such lake is hereby authorized and empowered, and it shall be its duty, in order to maintain or improve navigation in such lake and to promote the public health or welfare, to establish and maintain, as herein provided, a uniform height at which the water in such lake shall be maintained, with due regard for the navigation of such lake and the rights of the owners of the land adjacent to the shore of such lake, and if necessary to raise said water to and maintain it at such height as nearly as practicable.

Maintain a uniform height of water.

SEC. 5. To carry out the purposes of this act, such board of navigation of such lake is hereby authorized to acquire by gift, purchase or condemnation, any dam or dams on any streams affecting the level of the water in such lake, and also any land that such board shall deem necessary in order to construct and maintain across any such stream a dam as may be necessary for the purpose of raising such water or maintaining it at the established height, and also to acquire any land necessary for approaches to such dam, and, if necessary or convenient to construct and maintain over such dam a plank roadway, which may be used by the public as a highway, and do any and all things necessary to maintain the water in such lake, as nearly as practicable, at the height so established, and to carry into full effect the purposes of this act.

May acquire dams and land.

SEC. 6. The said board of navigation for such lake, in the matter of acquiring by purchase or condemnation of any dam or lands, shall be governed and follow the provisions of chapter 88 of the General Laws of the State of Minnesota for 1897, and such board shall have the same powers as therein conferred upon the board of county commissioners for such purposes.

SEC. 7. The costs of acquiring such dams or land and maintaining of such heights of water shall be borne equally by the counties and provided for by taxation, or otherwise, and audited and paid as now provided by law for other obligations of such counties.

Cost to be borne equally.

SEC. 8. The title to all property acquired or taken

by condemnation proceedings shall vest in such board of navigation.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 567.

CHAPTER 380. *R*

Public
highways.

An act to amend chapter 13 of the General Statutes of Minnesota of 1878, as amended by chapter 46 of the Laws of 1895, relating to public highways in townships.

Be it enacted by the Legislature of the State of Minnesota:

Abolishment
of overseers
of highways

SECTION 1. That section 1 of chapter 46 of the General Laws of 1895 be and the same is hereby amended so as to read as follows: That whenever petition of at least ten of the resident taxpayers and legal voters of any township in this state shall have been filed with the town clerk of said town at least ten days prior to any town meeting, setting forth that it is deemed expedient to abolish the election of overseers of highways in such township, and to abolish the collection of poll tax therein, the legal voters of such town at any annual town meeting may, by a majority of the votes cast, pass a resolution directing that all roads in any such township and the repairing of the same, and the making of new roads already laid out, or that may hereafter be laid out, and the building and repairing of bridges and the general management and care of the same, shall be under the control and direction of the supervisors of such township, which resolution shall be printed or written, or partly printed and partly written, on ballots, as follows:

"Resolved, That the election of overseers of highways and collection of poll tax be abolished and all roads in this township and the repairing of the same, and the making of new roads already laid out, or that may hereafter be laid out, and the building and repairing of bridges and the general management and care of the same, shall be under the control and direction of the supervisors of this township."

Form of
ballot.

Each elector voting on such proposition shall make a cross opposite the "Yes" or "No." *Provided*, that whenever such a resolution is to be voted upon, the town

clerk shall give notice thereof in his notice of annual town meeting.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 381. *R*

H. F. No. 574.

An act to authorize all counties in this state having a bonded indebtedness to create a sinking fund for the purpose of paying said bonded indebtedness and to levy a tax for the purpose of creating said sinking fund.

Sinking
fund for
bonded in-
debtedness.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the board of county commissioners of any county in this state having a bonded indebtedness, is hereby authorized to create a sinking fund to be known as the "bonded indebtedness sinking fund," for the purpose of paying the bonded indebtedness of the county when the same becomes due, as herein provided.

SEC. 2. When the board of county commissioners of any county shall by resolution decide to create a sinking fund, as provided in section one of this act, the said board shall then decide by resolution the amount of money for said fund to be raised the first year, and shall at the first meeting in January in each year thereafter, so long as necessary, designate the amount, if any, to be raised for the year in which said meeting is held, said sums so named to be raised by a tax on the taxable property in the county; *provided*, that said bonded indebtedness sinking fund shall not at any time be larger than the bonded indebtedness.

Decide by
resolution.

SEC. 3. When the board of county commissioners of any county have voted to create a sinking fund, and have designated a sum for any one year to be raised, as herein provided, the county auditor is hereby authorized and directed, in addition to all other taxes now authorized by law to be levied, to levy a tax on all the taxable property of said county, for the purpose of raising the sum voted by the board of county commissioners for the year named by said board.

Auditor
directed
to levy
tax.

SEC. 4. The county treasurers shall collect the said tax so levied in like manner and at the same time that other taxes are by them collected, and all moneys so collected

shall be credited to said bonded indebtedness sinking fund, and shall become a part of said fund.

SEC. 5. The county treasurer shall pay out the said fund on the warrant of the county auditor issued by order of the board of county commissioners.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 584.

CHAPTER 382.

Relating
to public
improve-
ments.

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An act relating to public improvements heretofore or hereafter made in all villages and in cities of ten thousand (10,000) or less inhabitants, to the levying of assessments to defray the expenses thereof, and to the issuance of evidence of indebtedness in anticipation of their collection.

Be it enacted by the Legislature of the State of Minnesota :

Villages
with
population
of 10,000
or more.

SECTION 1. Whenever the village council or corresponding body of any village or the common council or corresponding body of any city having a population of ten thousand inhabitants or less shall deem it necessary and expedient to extend, open, grade, pave or otherwise improve any street in said village or city, or cause any other similar local improvement to be made within the corporate limits of such city or village, it may, acting on its own motion, and shall, if a majority of the owners of the property abutting on such proposed improvement shall petition therefor, adopt a resolution to that effect, which resolution shall specify the proposed location of such improvements, and its general proposed character, and shall also specify a time and place, not less than two, nor more than four weeks after the date of the first publication or posting of such resolution, as herein provided, when and where the parties interested therein shall be heard in reference to such improvement. *Provided*, that if any such village or city council, or the corresponding body of any such city or village, shall on its own motion by resolution order any improvements herein provided for, such resolution shall be passed and adopted by an affirmative vote of at least two-thirds of all the members of any such village or city council, or corresponding body of any such city or village, which said vote shall be taken by yeas and nays and en-

Two-thirds
vote of
village
council.

tered upon the minutes and records of such city or village; *provided, further*, that none of the provisions of this section or of this act shall in any manner apply to the constructing, making, building, extending, reconstructing, remaking, rebuilding or repairing any sidewalk in any city or village to which this act may apply.

SEC. 2. Such resolution shall be published at least once in the official paper of such city or village, or in the event that there is no paper designated as such, then in some newspaper regularly published in said village or city, in the English language, and of a general circulation therein.

Publication
of resolution.

If there is no such newspaper published in said village or city, then such publication and notice of such resolution may be made by posting a copy of said resolution in at least three public places in said city or village.

Affidavits shall be made by the person posting said resolution of the manner, time and place of posting the same, or by the foreman, editor or publisher of such newspaper of the time and manner of publishing the same, and such affidavits shall be attached to said resolution and be filed with it in the office of the village or city recorder or clerk. When action has been duly had in accordance with the provisions of this section, the publication or posting of the resolution aforesaid shall be deemed a sufficient personal service of such resolution upon the persons whose property may be affected by the proposed improvement, and sufficient notice to them thereof.

Affidavit of
publisher.

SEC. 3. At the time and place named in such resolution, or at any subsequent time to which the hearing on said matter may be adjourned, the parties interested may be heard in reference to the making of such proposed improvement, its nature, character and extent, and thereupon said council may, by resolution, either decide not to undertake such improvement, or may order such improvement, in whole or in part, to be made by the street commissioner, commissioner of public works or corresponding officer, or may cause the same to be done under a contract to be let to the lowest responsible bidder, the entire expense thereof to be paid, in either event, in the first instance out of the general revenue fund, permanent improvement fund or permanent improvement revolving fund of said village or city, as said council may then or thereafter determine. In case any such council shall by resolution as in this section provided determine to order

Hearing for
parties
interested.

Manner
of doing
work.

any improvement in this act provided for, such resolution shall be passed and adopted by an affirmative vote of at least two-thirds of all the members of any such council by yeas and nays to be duly entered on record in the minutes and records of such council.

Time
fixed by
resolution.

SEC. 4. If the work of making the improvement in question is carried on by the street commissioner, the commissioner of public works, or corresponding officer, then at any time within thirty days after said village or city shall have completed said improvement as aforesaid, or if to be done by contract, then at any time after the contract has been entered into, the village council or common council shall by resolution fix a time and place, not less than thirty days thereafter, when and where they will ascertain the amount of the special benefits received by any property within said village or city by reason of the construction of the improvement in question, and hear the testimony in that connection of all persons interested or whose property is affected, who may appear in person or by attorney, and present witnesses for examination. Notice of said hearing shall be given by service of said resolution on all the persons interested therein, whose property is so affected, in the same manner as provided in section two (2) of this act for notice and service of the resolution referred to in section one (1) of this act, and proof thereof shall be made by affidavits to be filed with said resolution, in the same manner as is provided for in said section two (2).

May
administer
oaths.

SEC. 5. At the time and place named in said resolution, or at any subsequent time to which such hearing may be postponed, said council or corresponding body shall meet and hear any and all testimony offered by or on behalf of all the interested parties, and for that purpose the presiding officer is hereby authorized to administer oaths to witnesses, and thereupon the said council or corresponding body shall by resolution determine the amount of special benefits conferred by said improvement upon each lot, part of lot or parcel of ground so benefited thereby, assessing each such lot, part of lot, piece or parcel of ground for the cost of said improvement, without regard to cash valuation, ratably, and in proportion to the special benefit so conferred upon it, but not otherwise nor in excess thereof, and a full and complete record thereof shall be made and kept by the village or city recorder, or corresponding officer, in a separate book kept for that pur-

Record
kept by
recorder.

pose, which record shall contain a description of the property benefited and charged with the construction of the improvement, the amount of the special benefits determined in each case as aforesaid, and when so determined.

Should the aggregate amount of benefits so determined be less than the total cost of such improvement, the deficiency shall be paid out of any revenues of said village or city that the council or corresponding body may determine, from whatever source derived.

Deficiencies
how paid.

Said resolution shall likewise be published or posted and proof thereof be made in the same manner as that provided in section two (2) hereof for the posting or publication of the resolution referred to in section one (1) hereof, and the proof thereof; and the amount of benefits to each lot, part of lot, or parcel of ground so determined as aforesaid shall be and become a charge against the same from the date of the posting or publication of such resolution as aforesaid.

Resolution
to be
published.

SEC. 6. A certified copy of such resolution and of the aforesaid record shall be delivered forthwith by the village or city recorder, or corresponding officer, to the village or city treasurer, and shall be his warrant for the collection of such assessments. The village or city treasurer shall forthwith cause a brief notice to be published or posted after the manner provided in section two (2) hereof, in which notice he shall refer to the last mentioned resolution, give the time and place of its posting or publication as aforesaid, and state that the assessments so made for such improvements are due and payable to him, and give the date upon which the warrant therefor came into his hands for collection. If any such assessments is not paid within thirty days after the publication or posting of such notice, a penalty of ten per cent shall be added thereto. Proof of the posting or publication of said notice shall also be made by affidavit, as provided in section two (2) hereof.

Certified
copy to be
delivered.

Penalty
of 10 per
cent.

SEC. 7. If such assessment for either or any of the purposes aforesaid be not fully paid to the village or city treasurer within the thirty-day period aforesaid, or if there is not in the treasury of such village or city at the end of said thirty-day period money to pay that portion of the cost of such improvement which may be in excess of the aggregate of the assessments so levied on account thereof, whether the same have or have not been collected

Orders
to be
issued.

in full, the council, or corresponding body, shall issue or cause to be issued, the orders of said city or village upon the treasurer thereof for the payment of which the full faith and credit of such village or city is hereby pledged for the aggregate amount of the unpaid balance of the cost of such improvement, payable in three annual installments, each of which installments shall be represented by a separate order, bearing interest at a rate to be determined by said village or city council, not exceeding six per cent per annum, and payable as follows: One payable not later than one year next following the issue thereof; one payable not later than two years next following the issue thereof; and one payable not later than three years next following the issue thereof. All orders shall be made payable to bearer, and the same may be issued, negotiated and sold by said village or city for not less than their par or face value. The interest on all of said orders shall be payable at intervals of not to exceed one year, and to each of such orders shall be attached interest coupons evidencing such installments of interest.

When
payable.

Interest.

A record of all such orders shall be made and kept by said village or city recorder or corresponding officer, which record shall show the date the order was issued, its amount, date when due, to whom sold, amount sold for, and for what purpose the same was issued, when the same was paid, and the amount paid, as shown by the treasurer's books.

Levy tax
annually
until as-
sessment
is paid.

SEC. 8. After the issuance of such orders, the council, or corresponding body, shall annually, at the time of levying general taxes for village or city purposes, and until all of said orders shall been paid, levy a tax sufficient to meet the orders which will fall due in the year next following such levy, or shall appropriate from the other revenues of such city or village an amount sufficient for such purpose, and shall also annually, on or before the first day of October of each year, until the whole of said assessments have been collected as herein provided, cause a statement of the amount of one-third of the assessment remaining unpaid as against each tract of land assessed, with the penalty and six per cent annual interest on the whole of the assessment unpaid from the date of the issuance of said orders to the date of the maturity of the order next falling due added thereto, to be transmitted, with the village or city taxes for that year, to the county auditor, and the said auditor shall extend the same against

the several tracts assessed, with the other taxes, in the duplicate statement of taxes annually transmitted by him to the county treasurer for collection and payment thereof, and the same shall be enforced with, and in like manner, as city, county and state taxes are collected and payment thereof enforced.

SEC. 9. Whenever any village or city within the purview of this act has heretofore made or caused to be made any such improvement, or has issued evidences of indebtedness to defray the cost of any such improvement in whole or in part, all undertakings and agreements and all proceedings of whatever nature had or made by it with reference to such improvement, and any such evidence of indebtedness are hereby validated and legalized; and such village or city is hereby empowered to complete the same, to pay any such evidences of indebtedness already issued, and to provide funds for the completion of any such improvement by proceeding as in this act provided.

SEC. 10. This act shall not be construed as in any manner superseding, repealing, amending or qualifying the provisions of any home-rule charter heretofore adopted by any city or village under existing laws, and shall not in any manner apply to any such city or village.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 383.

R

An act to amend section 1 (H. F. No. 32) of "An act to authorize and empower the city council or common council of cities in this state of over 50,000 inhabitants to issue and sell municipal bonds and to use the proceeds thereof for defraying the cost of making certain local improvements in intersections of streets and in front of property exempt by law from special assessments," approved March 6th, 1903.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 1 of said act be amended in 1st. By striking out the following words: "not to exceed ten years from the date thereof," where the same appear in said section 1 immediately following the words the following particulars:

Action
heretofore
taken
legalized.

03 c 382 § 9
96-M - 290
104-NW 1077

S. F. No. 580.

Authority
to sell
municipal
bonds.

"and at such times," and insert in lieu thereof the words "not to exceed thirty years from the date thereof."

2nd. By striking out the words "and to bear interest at a rate not to exceed three and one-half ($3\frac{1}{2}$) per cent per annum," where the same appear in said section 1 immediately following words "as may be deemed best," and insert in lieu thereof the following words: "and to bear interest at a rate not to exceed four (4) per cent per annum."

3rd. By striking out the following words from said section 1: "And no bonds shall be issued under the provisions of this act after the expiration of six months from the date of its passage," where the same appear at the end of said section 1.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 914.

CHAPTER 384.

R

Bonds for
public halls,
etc.

An act to authorize and empower the city council or common council of cities in this state of over 50,000 inhabitants to issue and sell municipal bonds for the purpose of purchasing or building a public hall and auditorium for public meetings of such cities.

Be it enacted by the Legislature of the State of Minnesota:

Applies to
cities of
over 50,000
inhabitants.

SECTION 1. The city council or common council of each city in this state now or hereafter having over 50,000 inhabitants, in addition to all the rights and powers heretofore granted thereto by law, is hereby authorized and empowered, for the purposes herein designated, to issue from time to time, as needed, the negotiable bonds of their respective cities, to an amount in the aggregate not to exceed one hundred and fifty thousand dollars, said bonds to be made in such denominations and payable at such places and at such times, not to exceed thirty years from the date thereof, as may be deemed best, and to bear interest at a rate not to exceed four per cent per annum, payable semi-annually, and to have interest coupons attached payable at such place or places as shall be designated therein; and said city council or common council, as the case may be, is further authorized to negotiate and sell such bonds from time to time to the highest bidder

or bidders therefor, and upon the best terms that can be obtained for said bonds. *Provided*, that no such bonds shall be sold for a less amount than the par value thereof and accrued interest thereon; and, *provided further*, that said bonds shall not be issued until the issuance thereof is authorized by resolution or ordinance duly passed by a four-fifths vote of all the members of the city council or common council of the city proposing to issue the same. And no bonds shall be issued under the provisions of this act after the expiration of six months from the date of its passage.

Bonds not
to be sold
for less
than par
value.

SEC. 2. Nothing herein contained shall authorize the issue at any time of the bonds of any such city to such an amount that the whole amount of the principal of the bonds actually issued by such city and still outstanding, together with the proposed issue, less the amount of the funds and bonds of such city, which shall be in and constitute a part of the sinking fund of such city for the payment of bonds, shall exceed ten per cent of the assessed valuation of the taxable property of such city, as shown by the last preceding assessment.

SEC. 3. All bonds issued under authority of this act shall be sealed with the seal of the city issuing them and signed by the mayor and attested by the clerk or recorder, and countersigned by the city comptroller or corresponding officer, if such officer exists in such city. The proceeds of any and all bonds issued and sold under authority of this act shall be placed in the city treasury of the city issuing the same, and shall be used only for the purpose of purchasing a public hall and auditorium for public meetings of such city, either by the purchase of suitable grounds and buildings and the alteration and repair of such buildings or by the purchase of suitable grounds and the erection of a suitable building thereon. The proceeds of said bonds or any thereof shall not be used for any other purposes than those hereinbefore specified.

Proceeds
of bonds.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 863.

Relating
to school
meetings.

CHAPTER 385.

R

An act to amend section 3678, as amended by paragraph two (2) of section one (1), chapter fifteen (15), General Laws of Minnesota for 1899, relating to school meetings in common school districts in counties having a population of fifty thousand (50,000) or more, and less than one hundred and fifty thousand (150,000).

Be it enacted by the Legislature of the State of Minnesota:

Applies to
counties be-
tween 50,000
and 150,000
inhabitants.

SECTION 1. That section three thousand six hundred and seventy-eight (3678) of the General Laws of one thousand eight hundred and ninety-four (1894), as amended by paragraph two (2), section one (1), chapter fifteen (15) of the General Laws of Minnesota for one thousand eight hundred and ninety-nine (1899), relating to school meetings in common school districts, be amended so as to read as follows:

The officers of each common school district shall be a director, treasurer and clerk, who shall be elected by ballot at the annual meeting, which shall be held on the third Saturday of July in each year, between the hours of four and eight o'clock p. m., and all districts having over three hundred (300) legal voters shall be divided by the school board of said district so that there shall be one voting precinct for each three hundred (300) voters, or major fraction thereof, in all counties having a population of fifty thousand (50,000) or more and less than one hundred and fifty thousand (150,000).

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 877.

Authority
to state
drainage
board.

CHAPTER 386.

R

An act to authorize the state drainage board to co-operate with the boards of county commissioners in any county wherein a county ditch is located, to extend and enlarge certain ditches in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That the state drainage board is hereby authorized to co-operate with the board of county commissioners of each county wherein a county ditch is lo-

cated, enlarge or extend any county ditch now completed or in process of completion, which in their judgment may be necessary or desirable.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 387. *R*

H. F. No. 886.

An act to provide for the isolation of juveniles charged with crime from adults so charged, and to provide for the isolation of said juveniles at their trial from idle public gaze.

Juveniles
charged
with
crime.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. It shall be the duty of every sheriff, station keeper, and all others trusted with the custody of persons under the age of sixteen with crime, in cities having more than 50,000 inhabitants, to provide a separate place of confinement for such infants where they shall not come in contact with prisoners of greater age, and it is hereby declared unlawful to confine such classes of prisoners together, or to allow them intercourse at any time during their said confinement.

Duty of
sheriffs.

SEC. 2. No court or magistrate shall commit a child under fourteen years of age to a jail or police station, pending trial, but if such child is unable to give bail it may be committed to the care of the sheriff, police, public officer, or probation officer, who shall keep such child in some suitable place, which shall be provided by the city or county.

Shall not
commit
children
under
fourteen
years to
jail.

SEC. 3. At any hearing or trial of a person or persons under the age of sixteen charged with crime, the presiding judge or magistrate shall, prior to the introduction of such minor into the court room, clear the same of all persons, save the officers of the court; including regularly licensed attorneys, witnesses and relatives of the accused, and shall proceed to hear said cause with only the persons above named present.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 895.

CHAPTER 388.

R

Eminent
domain of
villages.

An act to amend section 1240 of General Statute for 1894, relating to eminent domain of villages.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 1240 of General Statute for 1894 be amended so as to read as follows, to-wit:

Section 1240. Whenever the village council shall intend to erect or construct any pumps, water mains, reservoirs, engine houses, or other water works, or to lay out, open, change, widen or extend any street, lane, alley, public grounds, square or other places, or to construct, open, alter enlarge or extend drains, canals or sewers, or to construct, open, alter, widen or straighten water courses, water works or water supplies within or without the corporate limits, or take ground for the use or improvement of a harbor, and it shall be necessary to take private property therefor, they shall cause an accurate survey and plat thereof to be made and filed with the recorder, and they may purchase or take by donation such grounds as shall be needed, by agreement with the owners, and take from them conveyances thereof to the village for such use or in fee; but otherwise they shall by resolution, declare their purpose to take the same, and therein describe by metes and bounds the location of the proposed improvements and the land proposed to be taken therefor, Defining separately each parcel and the amount thereof owned by each distinct owner, mentioning the names of owners or occupants so far as known, and therein fix a day, hour and place when and where they will apply to a justice, of the, resident in such village, for a jury to condemn and appraise the same. They shall thereupon cause to be made, by the recorder, a notice of the adoption of such resolution, embracing a copy thereof, and notifying all parties interested that the council will, at the time and place named, apply to the justice named for the appointment of a jury to condemn and appraise such land. A copy of such notice shall be served by any constable on the owner of each such parcel of land to be taken, if known and resident within the county; such service to be made in the manner prescribed for serving a summons in a justice court, and the return of the officer shall be conclusive evidence of the fact stated therein. If the no-

When
necessary
to take
private
property.Notice to
be made by
recorder.

tice cannot be so given as to all the parcels, then the same shall be also published, once in each week for three successive weeks, in a newspaper published in such village or county; and the affidavit of the printer or foreman of such newspaper shall be conclusive evidence of such publication. If any person so served with notice shall be a minor, or of unsound mind, the justice, before proceeding, shall, on the day fixed for hearing such application, appoint for him a guardian for the purpose of such proceeding, who shall give security to the satisfaction of such magistrate, and act for such ward.

Publication
of notice.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 389.

H. F. No. 903.

An act relating to trading stamps, coupons, tickets, and other similar devices, to regulate the redemption of the same, to prevent deception and fraud in their use, and to provide a penalty for the violation thereof.

Trading
stamps

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Any person, individual or corporation who shall sell and deliver any trading stamps, coupons, tickets or other similar devices to any person, or to any association or individual engaged in any trade or business, with the promise or assurance expressed or implied that he, or any person or corporation, will give or deliver to any person presenting such stamps, coupons, tickets or similar devices any money or goods, wares or merchandise therefor, or in redemption thereof, shall print upon the face of said stamps, coupons, tickets or other similar devices the advertised value of the same or the value of the personal property with which they may be redeemed, and shall upon demand redeem said stamps, coupons, tickets or other similar devices in any number whatever which may be presented for redemption, either in cash or in goods, wares or merchandise at the option of the holder, in the amount or value so expressed or printed upon said stamps, coupons or similar devices. In case such holder elects to receive goods, wares and merchandise, the same may be selected by him.

SEC. 2. Any association, corporation or individual

Penalty
for failure
to redeem
stamps.

who shall sell or issue trading stamps, coupons, tickets or other similar devices shall, upon the failure to redeem said trading stamps, coupons, tickets, or similar devices, in the manner prescribed in the first section thereof, be liable to the holder of the same for the amount of their advertised value, and the said holder may recover the same from the association, corporation or individual selling, delivering or issuing said stamps, coupons, tickets or similar devices, in a civil action in any court of competent jurisdiction, together with the costs of suit, and also including the reasonable attorney's fee of an attorney for services rendered in the prosecution of such action.

SEC. 3. Any individual, association, corporation or officer or employe of a corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than seventy-five (75) or over one hundred (100) dollars, or by imprisonment in the county jail for not less than sixty (60) days or more than ninety (90) days, for the first offense; and upon conviction for a second offense shall be punished by imprisonment in the county jail for six (6) months.

SEC. 4. This act shall take effect and be in force from and after August 1st, 1903.

Approved April 21, 1903.

H. F. No. 889.

CHAPTER 390.

R

An act to amend section 113 of chapter 8 of the General Statutes of 1878, as amended, being section 680 of the General Statutes of 1894.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 113 of chapter 8 of the General Statutes of 1878, as amended, being section 680 of the General Statutes of 1894, be and the same is hereby amended so as to read as follows:

Financial
statement
of counties.

"The board of county commissioners on the first Tuesday in January, annually, shall make a full and accurate statement of the receipts and expenditures of the preceding-year, which statement shall contain a full and correct description of each item, from whom and on what account received, to whom paid and on what account expended, together with an accurate statement of the

finances of the county at the end of the fiscal year, including all debts and liabilities of every description and the assets and the other means to discharge the same; and shall, within thirty days thereafter, have the same posted up at the court house door, and at two other public places in their county, and published in some newspaper therein, if there is one, for three successive weeks. Said board shall, at its meeting in September and January of each year, examine and count all the funds in the treasury, and shall examine the accounts and vouchers of the auditor and treasurer, and make a written certificate of the condition of the treasury, and file the same with the auditor, showing how much money and what kind is in the treasury, and all other matters in connection therewith. *Provided*, that in all counties of over 75,000 inhabitants such proceedings shall be published in a daily newspaper."

Publication
in news-
paper.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 391.

R

H. F. No. 891.

An act to appropriate money for the purchase of land at the Rochester state hospital for the insane.

Land for
Rochester
hospital.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That from any money in the state treasury, not otherwise appropriated, the sum of twelve hundred (1200) dollars be and the same is hereby appropriated, to be used by the state board of control for the purchase of additional lands at the Rochester state hospital for the insane.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 850.

CHAPTER 392.

Assessments
for street
grading.

An act making certain assessments for street grading in cities of over (50,000) inhabitants void and of no effect.

Be it enacted by the Legislature of the State of Minnesota :

Applies to
cities of
over 50,000
population.

SECTION 1. In all cities of over 50,000 inhabitants where an assessment for the grading of any street has been levied and the street or any part thereof has not been graded within five (5) years after the levying of the assessment for such grading, said assessment covering that portion of the street which has not been graded is hereby declared to be null, void and of no effect. *Provided*, nothing in this act shall render any city liable to make refundments on account of any such assessment where they would not otherwise be liable so to do.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 852.

CHAPTER 393.

Protection
of employes.

An act to protect the rights of employes, servants, laborers and persons seeking employment, and to provide a penalty for coercing or influencing or making demands upon or requirements of such persons.

Be it enacted by the Legislature of the State of Minnesota :

Unlawful
to prevent
persons
from ob-
taining em-
ployment.

SECTION 1. That it shall be unlawful for any individual or corporation or member of any firm, or any agent, officer or employe of any company or corporation to contrive or conspire to prevent any person from obtaining or holding employment, or to discharge, or to procure or attempt to procure a discharge of any person from any employment by reason of such person having engaged in any strike.

SEC. 2. It shall be unlawful for any individual or corporation, whether acting for himself directly or through another person, agent or agency, or whether acting as agent or employe of another person or persons,

or as a member of any firm, or as an officer, agent or employe of any company or corporation, to require from any person, as a condition to any contract of employment, any written statement as to his participation in any strike, or any written statement as to his personal record, except as to conviction for crime or misdemeanor, for a period of more than one year immediately preceding the date of making application for such employment, and the use or requirement by any such individual or corporation acting in any of the capacities aforesaid of blanks or forms of application for employment in contravention of the provisions of this act are hereby forbidden.

SEC. 3. Any violations of any of the provisions of this act shall be deemed a misdemeanor and shall be punishable by a fine not exceeding \$100.00, or by imprisonment in the county jail for a period not exceeding three months. Penalty.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 394.

R

H. F. No. 838.

An act relating to the decision of probate court, when and how made, and penalties for failure to make within a limited time.

Decisions
of probate
court.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Upon the trial of an issue of fact or law by the probate court, its decision shall be in writing. All questions of fact and law, and all motions, and matters which were submitted heretofore or which shall hereafter be submitted to a judge for his decision or disposition, shall be decided by him, and his decision or disposition shall be filed in the office of said probate court, in the files in said matter or cause, within ninety (90) days after such submission, unless prevented by sickness or unavoidable casualty. That the provision of this act shall be construed as mandatory and not directory, and the county auditor is hereby directed not to sign or to issue a warrant on the county treasurer for the payment of the salary, or any installment of the salary of any probate judge of the probate court of this state, unless the voucher or requisition for such warrant filed with the county auditor

Shall be
filed
within
90 days.

Salary
forfeited
in case
of failure.

shall contain and be accompanied by an affidavit of the judge requesting such warrant, that all matters submitted to him for decision ninety days or more prior to the filing of said affidavit have been decided as required herein, unless a decision has been prevented by sickness or unavoidable casualty within the limitation of time herein fixed, said affidavit shall state the facts excusing the delay, and the making and filing of a false affidavit shall be deemed just cause for complaint to the governor of this state.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 841.

CHAPTER 395.

An act to legalize acknowledgments of conveyances and other instruments and the record thereof.

Be it enacted by the Legislature of the State of Minnesota :

Legalizing
acknowledg-
ments.

SECTION 1. That all acknowledgments to any conveyances or other instruments heretofore taken by, and all oaths administered by any person previously appointed or elected, and then acting as a notary public or other officer authorized to take such acknowledgments or administer such oaths, who was at the time of the taking of such acknowledgment or administering such oath, a member of the legislature of the State of Minnesota, be and the same are hereby legalized and made of the same validity as though at the time of taking such acknowledgments or administering such oaths, such person was not a member of such legislature; and the record of such conveyances or other instruments is hereby declared to be legal and valid and effectual for all purposes.

Provided, that the provisions of this act shall not apply to or affect any action or proceeding now pending in any court of this state.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 396.

H. F. No. 847.

An act to amend section 69 of chapter 2, General Laws of Minnesota for the year 1902, entitled "An act relating to the taxation of real estate; providing for penalties relating thereto; the entry of tax judgments, and the sale and disposition of such delinquent real estate, redemption from such sale, and the payment of taxes upon real estate so delinquent."

Taxation
of real
estate.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 69 of chapter 2, General Laws of Minnesota for the year 1902, be and the same is hereby amended so as to read as follows:

Section 69. Lien of Taxes—Grantor and Grantee—The taxes assessed upon real property shall be a perpetual lien thereon and on all structures and standing timber thereon, and on all minerals therein, from and including the first day of May in the year in which they are levied until the same are paid; but as between grantor and grantee such lien shall not attach until the first Monday of January of the year next thereafter.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 397.

H. F. No. 829.

An act entitled an act providing for the enclosure of shafts of hoist machinery and prescribing a penalty.

Enclosure of
shafts of
hoist
machinery.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. If any contractor, person, firm, or corporation use or causes to be used any elevating machines or hoisting apparatus in the construction or building of any building or other structure for the purpose of lifting or elevating materials to be used in such construction, such contractor, person, firm or corporation engaged in construction such building shall cause the shafts or openings in each floor to be enclosed or fenced in on all sides by a barrier of suitable material at least four feet high. *Providing, however,* that this bill shall not apply in any way to mining operations.

Penalty.

SEC. 2. Any contractor, person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and shall be fined not less than twenty-five dollars nor more than one hundred dollars.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 22, 1903.

H. F. No. 833.

CHAPTER 398.

R

Expenses
of county
superintendent
of
schools

An act to amend section one (1) of chapter three hundred and forty-one (341), General Laws, Minnesota, 1901, relating to the allowance of expenses of county superintendents of schools.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section one (1) of chapter three hundred and forty-one (341) General Laws, Minnesota, 1901, is hereby amended so as to read as follows:

Section 1. That in all counties in this state composed of thirty-six (36) townships or more, where the salary of the county superintendent of schools does not exceed the sum of twelve hundred (1,200) dollars per annum, the board of county commissioners may allow such superintendent a reasonable sum for traveling expenses, but the expenses so allowed shall not, in the aggregate, exceed the sum of two hundred and fifty (250) dollars in any year.

The provisions of this act shall apply to counties where the compensation of the superintendent is fixed by special act, as well as when the same is established by general law.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 399.

H. F. No. 825.

An act to regulate the letting of contracts for printed blanks, blank books, printed supplies, including election ballots and stationery.

Contracts
for printed
supplies.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all counties of this state having a population of more than fifty thousand (50,000), and less than one hundred and fifty thousand (150,000) the board of county commissioners, before letting any contract for furnishing blanks, blank books, printed supplies, including (election ballots) and stationery, shall instruct the county auditor to advertise for bids for such printing by publication for one week in the newspaper then holding the contract for printing the proceedings of the board; and such advertisement shall set forth the kind or description of printing used in the various offices of said counties, and the specifications therefor, and the date on which the bids will be opened and considered by the board of county commissioners; and shall also notify prospective bidders that the bids will not be considered unless accompanied by a certified check, or its equivalent in money, equal to the amount of one-third of such bid.

Applies
to counties
between
50,000 and
150,000 in-
habitants.

SEC. 2. At the time specified in such advertisement the board of county commissioners shall proceed to open and examine such bids, and shall accept the bid offering to do the work for the lowest price; and preference shall be given by the county commissioners to bidders residents of the county for which the printing is to be done; *provided*, that the board may in its discretion reject all bids and may readvertise and subsequently let the contract under the conditions and in the manner therein specified; *provided, further*, that the successful bidder, before commencing work and before a contract between the county and such successful bidder shall be deemed to be completed and binding, shall furnish for the benefit of the county a good and sufficient surety company bond in such amount as the board of county commissioners shall direct and conditioned for a faithful compliance with the contract.

Commission-
ers to open
and exam-
ine bids.

Surety
bond.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 802.

CHAPTER 400.

Legalizing
certain
publications.

An act entitled "An act to legalize and make valid certain publications required or authorized by law to be made in a newspaper, and the records thereof."

Be it enacted by the Legislature of the State of Minnesota :

SECTION 1. That in all cases where any general law, probate notice, or other notice required or authorized by law to be published in a newspaper, has been heretofore published the number of times required by law in a newspaper which, during the period of such publication and during the period of one year prior to the commencement thereof, conformed in all respects to the definition of a newspaper contained in section 1, chapter 33, of the Laws of 1893 of Minnesota, and amendments thereto, except as to the number of paying subscribers required by law, all such publications and the records thereof are hereby legalized and made valid and effectual for all purposes, *provided*, that at the time of such publication there was on file in the office of the auditor of the county in which said newspaper was published an affidavit conforming to the provisions of section 2 of said chapter 33 of said Laws of 1893, and amendments thereto.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 22, 1903.

H. F. No. 801.

CHAPTER 401.

R

An act to permit the use of fish houses within this state.

Be it enacted by the Legislature of the State of Minnesota :

Permitting
the use of
fish houses
by obtaining
permit.

SECTION 1. That on all inland lakes of this state a fish house may be used for the purpose of taking pickerel, suckers and red horse from the fifteenth day of December to the first day of April of each year, *provided* that any person desiring to use such fish house shall first make application for a permit for such use to and obtain such permit from the board of game and fish commissioners of this state, stating that the same is to be used by him for the purpose of obtaining fish for his domestic use and

not be for commercial purposes, which application shall be accompanied by a fee of one (1) dollar; but no such person shall be permitted to use more than one (1) of such fish houses.

SEC. 2. Any person violating any of the provisions of this act shall be considered guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten (10) dollars nor more than forty (40) dollars, or by imprisonment for not less than ten (10) days nor more than thirty (30) days for each and every offense. Penalty.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

CHAPTER 402.

H. F. No. 773.

An act relative to plats of towns and cities in this state, and additions thereto and subdivisions thereof, and the correction of the same. Plats of towns and cities

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That in all cases where plats or what purport to be plats of any town or cities in this state, or of additions thereto or subdivisions thereof, or copies thereof, fail to identify and show correctly upon their face, the tract of land covered or intended to be covered thereby, the surveyors, or one of them, who laid out or surveyed the same, and in case said surveyors or surveyor shall have died, or his or their place of abode be unknown, or he or they be unable or refuse to make or execute such certificates, one or more of the original proprietors of such land may make and file in the office of the register of deeds of the county wherein such lands are situated, a certificate, duly acknowledged by him or them, as deeds are acknowledged, wherein shall be set forth a full description of the lands actually covered and intended to be covered by said plat. File with register of deeds.

If such certificate be made by a proprietor or proprietors of such town, city, addition or subdivision, the same shall also be sworn to by him or them as being correct in all respects. And such certificate, so acknowledged and verified, shall be recorded at length by such register of deeds in a book by him provided for that purpose, enti- Certificates to be recorded.

tled, "book of plat certificates," and said register of deeds shall thereupon note upon such plat or plats and the copy thereof, filed in his office as aforesaid, and referred to in such certificate, the fact of such filing and the book and page where such certificate is recorded and he shall receive from the person offering such certificate for record, the fees provided by law for similar services. And such certificate, or the record thereof, shall, together with such plat, be prima facie evidence, in all cases, as to the lands covered by said plat.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 739.

CHAPTER 403.

R

Warehouse
certificates
on packing
house
products.

An act to provide for the issuance of warehouse certificates on packing house products.

Be it enacted by the Legislature of the State of Minnesota:

Form of
certificates.

SECTION 1. All persons, firms or corporations engaged in the slaughtering of cattle, sheep and hogs, and dealing in the various products therefrom, who own or control the buildings wherein such business is conducted or such commodities stored, may issue warehouse certificates for any of such commodities actually on hand and in store, the property of the person, firm or corporation issuing such certificates, and it may by such method sell, assign, transfer, pledge or incumber such commodity to the amount described in such certificate. Such certificates shall contain the name and address of the person, firm or corporation issuing them, and the name and address of the party to whom issued, the location of the warehouse, building or other place where the commodity therein described is stored, the date of the issuance of such certificate, the quantity of each commodity therein mentioned, the brands or marks of identification thereon, if any, and be signed by the person or firm issuing the same, unless issued by a corporation, in which case they shall be signed by such corporation by its secretary or business manager, if it has such manager other than its secretary.

SEC. 2. Before any such person, firm or corporation is authorized to issue such warehouse certificates, he or it

must file in the office of the register of deeds in the county wherein such warehouse or other building is situated, a written declaration giving the name and place of residence or location of such person, firm or corporation; that he or it designs keeping or controlling a warehouse or other place for the sale and storage of commodities mentioned in section 1 of this act, a correct description of the warehouse or other building to be kept or controlled and where the same is or is to be located, the name or names of any person other than the one making such declaration who has any interest in said warehouse or other building, or in the land upon which it is situated, such declaration to be signed and acknowledged by the party making the same before some officer authorized to take acknowledgments to instruments, and recorded in a book to be kept for such purpose; and a certified copy of such instrument shall also be filed in the office of the town clerk, village recorder or city recorder, in the town, village or city where such business is conducted, the same to be filed in the same manner as chattel mortgages are filed, and a record thereof shall be kept in the same book in which a record is kept of chattel mortgages, and the party making such declaration shall be treated as the vendor in indexing such declaration, and the public as vendee.

Interest in
warehouse.

Certified
copy.

SEC. 3. Each certificate issued by any person, firm or corporation shall have printed on the back thereof a statement that the party issuing it has complied with the requirements of the preceding section, giving the book, page and name of the county where the record of such declaration may be found, and the day of the filing in the office of the town clerk, village recorder or city recorder, as herein required, and when such certificate is so issued and delivered it shall have the effect of transferring to the holder thereof the title to the commodities therein described or enumerated, and shall be assignable by written indorsement thereon, signed by the lawful holder thereof, which shall transfer the title to the commodities therein enumerated, and be presumptive evidence of ownership in such holder. No record or other notice shall be necessary to protect the rights of the holder of the certificate as against subsequent purchasers of the property.

Statement
printed
on back.

SEC. 4. All certificates given under the provisions of this chapter shall be registered by the party issuing them in a book kept for that purpose, showing the date thereof, the number of each, the name of the party to whom issued,

Certificates
must show.

the quantities and kinds of commodities enumerated therein, and the brands or other distinguishing marks thereon, if any, which book shall be open to the inspection of any person holding any of the certificates that may be outstanding and in force, or his agent or attorney; and when any commodity enumerated in any such certificate is delivered to the holder thereof, or it in any other manner becomes inoperative, the fact and date of such delivery or other termination of such liability shall be entered on such register in connection with the original entry of the issuance thereof.

Property
actually in
warehouse.

SEC. 5. No person, firm or corporation shall issue any warehouse certificate for any of the commodities enumerated in this chapter unless such property is actually in the warehouse or other building mentioned therein as being the place where such commodity is stored, and it shall remain there until otherwise ordered by the lawful holder of such certificate, subject to the conditions of the contract between the warehouseman and the person to whom such certificate was issued, or his assignee, as to the time of its remaining in store; and no second certificate shall be issued for the same property, or any part thereof, while the first is outstanding and in force, nor shall any such commodities be by the warehouseman sold, incumbered, shipped, transferred or removed from the warehouse or other building where the same was stored at the time such certificate was issued, without the written consent of the holder thereof.

May
recover
damages.

SEC. 6. Any one injured by the violation of any of the provisions of this chapter may recover his actual damages sustained on account thereof, and if willfully done, in addition thereto, exemplary damages, in any sum not exceeding double the actual damages, which actual damages shall be found and returned by special verdict.

Penalty for
violation.

SEC. 7. Any person who shall willfully alter or destroy any register of certificates provided for in this chapter, or issue any receipt of certificates without entering and preserving in such book the registered memorandum; or who shall knowingly issue any certificate herein provided for when the commodity or commodities therein enumerated are not in fact in the building or buildings it is certified they are in, or who shall, with intent to defraud, issue a second or other certificate for any commodity for which, or for any part of which, a former valid certificate is outstanding and in force, or shall, while an-

other valid certificate for any part of the commodities mentioned in this chapter is outstanding and in force, sell, incumber, ship, transfer or remove from the warehouse or building where the same is stored, any such certified property, or knowingly permit the same to be done, without the written consent of the holder of such certificate, or if any person knowingly receives any such property or helps to remove the same, he shall, upon conviction, be punished by a fine not exceeding ten thousand dollars, or by imprisonment in the penitentiary not exceeding five years. Fine of \$10,000.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

SPECIAL LAWS

OF

MINNESOTA

PASSED AND APPROVED DURING THE THIRTY-
THIRD SESSION OF THE LEGISLATURE
COMMENCING JANUARY SIXTH, 1903.

CHAPTER 404.

An act for the relief of Walter S. Cutter.

S. F. No. 448.

Be it enacted by the Legislature of the State of Minnesota:

Relief of
Walter S.
Cutter

SECTION 1. That the sum of nine hundred and ninety-seven dollars (\$997.00) be and the same is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, for the relief of Walter S. Cutter, who was seriously injured by the accidental discharge of a rifle, due to a defective cartridge, while in the service of the State of Minnesota on June 13, 1902.

SEC. 2. The said sum shall be paid by the state treasurer, upon the warrant of the state auditor, to the commanding officer of Company "C", Third Regiment of Infantry, M. N. G., of which said Cutter was then a member, to be by him applied to the payment of expenses for medical care and attendance, nursing, medicines, etc., due the following persons and institutions, and in the following amounts, to-wit: Duluth Red Cross Hospital, \$70.00; St. Luke's Hospital, \$52.00; Dr. R. Graham, \$350.00; F. W. Kugler & Co., \$3.00; Rita Dixon, nurse, \$162.00; and Company "C", \$360.00, all of Du-

Disposal
of money.

luth, Minnesota. And said commanding officer shall, within thirty days after payment to him of the amount herein appropriated, file with the state auditor proper receipts from the parties named in this section.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

S. F. No. 23

CHAPTER 405.

Treasurer
of Scott
county.

An act to repeal Chapter two hundred and fifteen (215) of the Special Laws of 1881, passed and approved at the extra session of the Legislature held in the year 1881, being an act relating to the salary of the county treasurer of Scott county.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter two hundred and fifteen (215) of the Special Laws of 1881 passed and approved at the extra session of the Legislature held in the year 1881, being an act relating to the salary of the county treasurer of Scott county, be, and the same is, hereby repealed.

SEC. 2. This act shall take effect and be in force from and after February 1, 1903.

Approved Jan. 29, 1903.

S. F. No. 65.

CHAPTER 406.

Salaries
county of-
ficers in
Mower
county.

An act to repeal chapter one hundred and eight (108) of the Special Laws of the State of Minnesota for the year one thousand eight hundred eighty-one (1881), entitled "An act to amend chapter three hundred eight (308), Special Laws of one thousand eight hundred seventy-nine (1879), fixing the salaries of county officers in Mower county."

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter one hundred eight (108) of the Special Laws for the year one thousand eight hundred eighty-one (1881), entitled "An act to amend chapter three hundred eight (308), Special Laws of one thousand eight hundred seventy-nine (1879), fixing the salaries of

county officers in Mower county," be and the same hereby is repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved January 29, 1903.

CHAPTER 407.

S. F. No. 134.

An act to repeal chapter two hundred and fifty-five (255) of the Special Laws of the State of Minnesota for the year one thousand eight hundred and seventy-eight (1878), relating to the giving of bonds by the county commissioners of Sibley county.

Bonds in
Sibley
county.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter two hundred and fifty-five (255) of the Special Laws of the State of Minnesota for the year one thousand eight hundred and seventy-eight (1878), be and the same hereby is repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved Feb. 11, 1903.

CHAPTER 408.

S. F. No. 230.

An act to repeal chapter two hundred sixty-three (263) of the Special Laws of eighteen hundred seventy-nine (1879), relating to cattle running at large in the counties of Marshall and Kittson.

Cattle
running
at large
in Marshall
and Kittson
counties.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter two hundred sixty-three (263) of the Special Laws of eighteen hundred and seventy-nine (1879) be and the same is hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 3, 1903.

S. F. No. 325.

CHAPTER 409.

Municipal
court
at Duluth

An act to amend sections 15 and 51 of chapter fifty-three (53) of the Special Laws of Minnesota for the year eighteen hundred and ninety-one (1891), the same being entitled "An act to confirm and continue the present municipal court of the city of Duluth, in the county of St. Louis, in the State of Minnesota, to enlarge the jurisdiction of such court and to regulate the practice and procedure thereof."

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section 15 of chapter fifty-three (53) of the special laws of Minnesota for the year eighteen hundred and ninety-one (1891) be, and the same is hereby amended so as to read as follows:

Fees of
reporter.

"Sec. 15.—Fees. The official or additional reporter of said court shall, upon the written request of either of the parties to an action, proceeding or examination, transcribe his record into ordinary writing or print, and the party, other than the City of Duluth, requesting such transcription shall pay to said reporter or additional reporter *ten* (10) cents per folio of one hundred (100) words for each folio, and three (3) cents per folio of one hundred (100) words for each copy thereof."

SEC. 2. That section 51 of chapter fifty-three (53) of the special laws of Minnesota for the year eighteen hundred and ninety-one (1891), as amended, be, and the same is hereby amended so as to read as follows:

Salary of
judge and
clerks.

"Sec. 51.—Salaries. The salary of the judge of said municipal court shall be three thousand (3000) dollars per annum. The salary of the clerk of said municipal court shall be fifteen hundred (1500) dollars per annum, and the salary of the first deputy clerk of said court shall be eleven hundred (1100) dollars per annum, and that of any other deputy clerks eight hundred (800) dollars per annum each. The salary of the official stenographic reporter of said court shall be one thousand (1000) dollars per annum. The city attorney shall receive a salary of six hundred (600) dollars per annum, exclusive of the salary paid said officer by the common council of said city. The salary of each of said officers shall be payable from the city treasury of the city of Duluth in monthly install-

Salary of
city atty.

ments, and neither of said officers shall receive any other fee or compensation for his services."

SEC. 3. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved April 17, 1903.

CHAPTER 410.

S. F. No. 21.

A bill for an act to provide additional means for completing and furnishing the court house and city hall building in the city of Minneapolis, and to authorize the issue and sale of bonds therefor.

Provides for funds for completing court house of Hennepin county.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. For the purpose of providing further money for completing and furnishing the court house and city hall building in course of erection upon block seventy-seven (77) in the plat of the original town of Minneapolis, the board of court house and city hall commissioners, created and existing under and by virtue of chapter three hundred and ninety-five (395) of the Special Laws of 1887 as supplemented and amended by chapter sixty-two (62) of the Special Laws of 1889, is hereby authorized to issue and sell additional "Hennepin and Minneapolis Court House and City Hall bonds" to an amount not exceeding two hundred fifty thousand (\$250,000) dollars in par value, which bonds shall bear interest at a rate not exceeding 4 per cent. per annum, payable semi-annually, and shall not be sold for less than par.

SEC. 2. Said bonds shall be designated "city series," shall be signed by the president and secretary of said board and counter-signed by the city comptroller of the city of Minneapolis, shall be dated March 2, 1903, and shall be for one thousand (1000) dollars each and be made payable as follows, to-wit: twelve thousand five hundred (\$12,500.00) dollars on January 1st, 1914, and the same amount on the first day of January of the years 1915 to 1933 both inclusive. They shall become and be a charge against the city of Minneapolis, and the payment of the principal thereof and the interest thereon shall be provided for by the city council of said city.

Bonds designated "city series."

Said county shall levy an annual tax of not more than one-fourth of a mill on the dollar upon all taxable property subject to general taxation within said city of Minneapolis until the money derived from such tax levy shall be sufficient to pay and discharge all of said bonds and all interest accruing thereon.

SEC. 3. The money received from the sale of said bonds shall be deposited by the treasurer of said board of court house and city hall commissioners according to the directions of said board, and all interest or income accruing from such deposits shall be accounted for to the board and be by it applied to the prosecution of the work for which said board was created.

SEC. 4. The proceeds of the sale of said bonds shall be used by said board for completing said court house and city hall building, or so much thereof as may be necessary for public use, and for furnishing the part so completed.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved April 21, 1903.

H. F. No. 735.

CHAPTER 411.

Relating
to salary
of register
of deeds

A bill for an act to repeal chapter three hundred ninety-three (393) of the Special Laws of 1887, relating to salary of county register of deeds in certain cases.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That chapter three hundred ninety-three (393) of the Special Laws of one thousand eight hundred and eighty-seven (1887) be and the same is hereby repealed.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved April 14, 1903.

CHAPTER 412.

H. F. No. 373.

An act to amend section eighteen (18) of chapter thirty-four (34) of the Special Laws of 1889, entitled "An act to consolidate and amend the several acts relating to the municipal court of the city of Minneapolis," as amended by chapter three hundred and eighty-seven (387) of the General Laws of 1901.

Municipal
court, city
of Minne-
apolis.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That section eighteen (18) of said chapter thirty-four (34) of the Special Laws of Minnesota for 1889, be amended to read as follows: "Section 18. The judge and special judge of said court shall each receive a salary of three thousand six hundred dollars per year and the clerk of said court a salary of two thousand four hundred dollars per year; the first deputy clerk of said court shall receive a salary of one thousand five hundred dollars per year; the second deputy clerk of said court shall receive a salary of one thousand two hundred dollars per year; and the third deputy clerk of said court shall receive a salary of one thousand dollars per year, payable in each case out of the city treasury of the city of Minneapolis, in monthly installments. Neither of said judges, nor said clerk nor his deputies shall receive any other fee or compensation for his services; but in all proceedings had in said municipal court like fees shall be charged and collected by the clerk as costs as are allowed by law to the clerk of the district court of Hennepin county. It shall be the duty of the police officers of said city to serve all processes issued by said court, except as otherwise provided by this act. Police officers in making service of any process, or doing other duty in respect to causes of said court, shall note and return to the court for collection such fees for such service as are allowed to constables for like service in justice's courts. And all fees so charged by the clerk or by any officer shall be collected by the clerk as cost and by him be accounted for and paid over to the city treasurer of said city as hereinbefore provided.

Salary of
judge and
clerk[s]

Fees
same as
in district
court.

The clerk shall pay witness fees in criminal actions only upon order of the court, taking receipts therefor in such form as the court may direct, which receipts shall be sufficient vouchers for payment of the sums therein named,

which said sums shall be noted upon the monthly reports of said clerk and deducted from the amount therein otherwise shown to be due the city.

All witness fees collected by the clerk and not paid to witnesses as aforesaid, shall be paid over to the city, the same as other fees accruing to the city.

And all balances of deposits for costs remaining in the hands of said clerk for one (1) month after the termination of any action, or for a like period after an abandonment of or failure to prosecute the same, and all other deposits of money arising from bail, bonds, recognizances, and payments of penalties, thereon or otherwise, shall be paid over to the city on the first Monday of the month following.

Provided, that in the event that the party or parties who may be entitled to receive said balances of deposits or other moneys, or any portion thereof, may demand the same of said clerk at any time thereafter, and, upon giving a receipt therefor to the clerk, he shall pay over the same and said receipt shall be a sufficient voucher for the same in like manner as provided herein, in the case of receipts for witness fees. No fees shall be charged against either the city, county or state.

SEC. 2. This act shall take effect and be in force from and after January 1st, 1904.

Approved April 21, 1903.

STATE OF MINNESOTA,

Department of State.

I, P. E. Hanson, secretary of state of Minnesota, do hereby certify that the foregoing general and special laws, passed by the legislature of 1903 have been compared with the enrolled copies of said laws deposited in the office of the secretary of state, and they are true and correct copies of said enrolled laws.

In testimony whereof I have hereunto set my hand this eighteenth (18th) day of June, A. D. 1903.

(SEAL.)

P. E. HANSON,
Secretary of State.

APPENDIX.

DISTRICT COURTS.

Statement showing time and place of holding the terms of the district court in the several counties with reference to the laws fixing time for holding the same.

FIRST JUDICIAL DISTRICT.

JUDGES—F. M. Crosby, Hastings.
W. C. Williston, Red Wing.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Goodhue.....	Second Wednesday in March; third Tuesday in October; first Tuesday of each and every month for hearing of all issues and matters, except issues of fact triable by jury.†	Red Wing.	1902. Ch. 68.
Dakota.....	First Tuesday in June; first Tuesday in December.	Hastings.	1903. Ch. 3. Sec. 1.
*Washington.....	First Tuesday in May; third Tuesday in November.	Stillwater.	1889. Ch. 147. Sec. 1.
Pine.....	Second Tuesday in April; third Tuesday in September.	Pine City.	1889. Ch. 138. Sec. 1.
Chisago.....	First Wednesday in October.	Center City.	1889. Ch. 147. Sec. 1.
Kanabec.....	Third Tuesday in February and third Tuesday in August.	Mora.	1903. Ch. 3. 1903. Ch. 19.

†Ch. 364. 1899.

*1897. CHAPTER 362—S. F. No. 556.

In the county of Washington, in addition to general terms of court now provided by law, on the second and fourth Tuesdays of each month for the trial of issues of fact without jury, for the trial of issues of law, hearing of motions, applications and all matters except trial of issues of fact by jury, such terms to be called special terms.

DISTRICT COURTS.

SECOND JUDICIAL DISTRICT.

JUDGES—GRIER M. ORR, O. B. LEWIS, H. R. BRILL, E. A. JAGGARD, W. L. KELLY, G. L. BUNN, St. Paul.

COUNTY.	TERMS.	WHERE HELD.	LAWS.
Ramsey.....	First Monday of each month, except July, August and September.	St. Paul.	1889. Ch. 144. Sec. 1.

THIRD JUDICIAL DISTRICT.

JUDGE—A. H. SNOW, Winona.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Olmstead.....	Second Monday in June; second Monday in December.	Rochester.	1903. Ch. 259.
Wabasha.....	Third Monday in May; second Monday in November.	Wabasha.	1903. Ch. 259.
Winona.....	Second Monday in January; first Monday in May; third Monday in September.	Winona.	1903. Ch. 259.

FOURTH JUDICIAL DISTRICT.

JUDGES—D. F. SIMPSON, J. S. MCGEE, A. M. HARRISON, CHAS. B. ELLIOTT, C. M. POND and FRANK C. BROOKS, Minneapolis.

COUNTY.	TERMS.	WHERE HELD.	LAWS.
Hennepin.....	First Monday after first day of January; first Monday of April; second Monday of September; first Monday of November.	Minneapolis.	1899. Ch. 167.

FIFTH JUDICIAL DISTRICT.

JUDGE—THOS. S. BUCKHAM, Faribault.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Dodge.....	First Monday in April; first Monday in October.	Mantorville.	1893. Ch. 135.
Rice.....	First Tuesday in May; second Tuesday after first Monday in November.	Faribault.	1873. Ch. 77. Sec. 1.
Steele.....	First Tuesday in June; fourth Tuesday in November.	Owatonna.	1873. Ch. 77. Sec. 1.
Waseca.....	Third Tuesday in March; third Tuesday in October.	Waseca.	1874. Ch. 97. Sec. 1.

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SIXTH JUDICIAL DISTRICT.

JUDGE—LORIN CRAY, Mankato.

COUNTIES.	TERMS.	WHERE HELD	LAWS.
Blue Earth.....	First Tuesday in February; first Tuesday in June; second Wednesday in November.	Mankato.	1897. Ch. 364.
Watonwan.....	First Tuesday in May; first Tuesday in October.	St. James.	1897. Ch. 364.

SEVENTH JUDICIAL DISTRICT.

JUDGES—D. B. SEARLE, St. Cloud.

L. L. BAXTER, Fergus Falls.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Benton.....	Fourth Monday in April; first Monday in December.	Foley.	1903. Ch. 46.
Douglas.....	Fourth Monday in February; second Monday in September.	Alexandria.	1903. Ch. 65.
Mille Lacs.....	First Monday in April; fourth Monday in September.	Princeton.	1899. Ch. 369.
Morrison.....	First Monday in March; third Monday in September.	Little Falls.	1889 Ch. 139.
Otter Tail.....	Third Monday in April; second Monday in November.	Fergus Falls.	1899. Ch. 369.
Stearns.....	Second Monday in May; second Monday in November.	St. Cloud.	1899. Ch. 369.
Todd.....	First Monday in May; third Monday in October.	Long Prairie.	1889. Ch. 139.
Clay.....	Third Monday in May; first Monday in December.	Moorhead.	1899. Ch. 369.
Becker.....	Fourth Monday in March; first Monday in October.	Detroit.	1899. Ch. 369.
Wadena.....	First Monday in June; second Monday in December.	Wadena.	1899. Ch. 368.

EIGHTH JUDICIAL DISTRICT.

JUDGE—FRANCIS CADWELL, Le Sueur.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Carver.....	First Monday in March; last Monday in September.	Chaska.	1899. Ch. 360.
Le Sueur.....	Second Monday in February; second Monday in September.	Le Sueur Center.	1899. Ch. 360.
McLeod.....	Second Monday in May; Second Monday in November.	Glencoe.	1895. Ch. 141.
Scott.....	Fourth Monday in March; third Monday in October.	Shakopee.	1899. Ch. 360.
Sibley.....	First Monday in June; first Monday in December.	Henderson.	1895. Ch. 141.

NINTH JUDICIAL DISTRICT.

JUDGE—B. F. WEBBER, New Ulm.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Lyon.....	First Tuesday in June; third Tuesday in November.	Marshall.	1903. Ch. 374.
Redwood.....	Third Tuesday in April; first Wednesday after the first Monday in November.	Redwood Falls	1903. Ch. 374.
Brown.....	Third Tuesday in May and second Tuesday in December.	New Ulm.	1903. Ch. 374.
Nicollet.....	First Tuesday in May; Third Tuesday in October.	St. Peter.	1903. Ch. 374.
Lincoln.....	First Tuesday in October.	Lake Benton.	1903. Ch. 374.

TENTH JUDICIAL DISTRICT.

JUDGE—NATHAN KINGSLEY, Austin.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Fillmore	Fourth Tuesday in May; second Tuesday in November.	Preston.	1903. Ch. 8.
Freeborn	Second Tuesday in December; first Tuesday in May; second Monday in July if adjourned	Albert Lea.	1889. Ch. 31.
Houston	Fourth Tuesday in February; third Tuesday in October.	Caledonia.	1895. Ch 319.
Mower	Second Tuesday in January; Second Tuesday in June.	Austin.	1903. Ch. 8.

ELEVENTH JUDICIAL DISTRICT.

JUDGES—W. A. CANT, J. D. ENSIGN, HOMER B. DIBELL, Duluth.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Carlton	First Tuesday in April; third Tuesday in October.	Carlton.	1895. Ch. 114.
St. Louis	First Wednesday in January, March, May, September and November in each year.	Duluth.	1895. Ch. 114.
Lake	First Wednesday in June and first Wednesday in December.	Two Harbors	1903. Ch. 12.
Cook	Last Thursday in June.	Grand Marais.	1903. Ch. 12.

DISTRICT COURTS.

TWELFTH JUDICIAL DISTRICT.

JUDGES—GORHAM POWERS, Granite Falls.
GAUTHRE E. QVALE, Willmar.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Chippewa.....	First Monday in June; Fourth Monday in November.	Montevideo.	1901. Ch. 21.
Kandiyohi.....	Fourth Monday in January and June.	Willmar.	1901. Ch. 21.
Lac qui Parle.....	First Tuesday in May; Second Tuesday in December.	Madison.	1901. Ch. 21.
Meeker.....	Second Tuesday in June; First Tuesday in December.	Litchfield.	1901. Ch. 21.
Renville.....	Second Monday in May; Third Monday in November.	Olivia.	1901. Ch. 21.
Swift.....	Third Monday in May; second Monday in November.	Benson.	1901. Ch. 21.
Yellow Medicine.....	Third Tuesday in June; second Tuesday in January.	Granite Falls.	1901. Ch. 21.

THIRTEENTH JUDICIAL DISTRICT.

JUDGE—P. E. BROWN, Luverne.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Cottonwood.....	First Monday in June; second Monday in November.	Windom.	1901. Ch. 7.
Murray.....	First Tuesday in May and Decem- ber.	Slayton.	1897. Ch. 373.
Nobles.....	Third Monday in February; third Monday in October.	Worthington.	1899. Ch. 363.
Pipestone.....	Third Monday in May and first Monday in January.	Pipestone.	1902. Ch. 70.
Rock.....	Third Tuesday in March and Sep- tember.	Luverne.	1895. Ch. 314.

FOURTEENTH JUDICIAL DISTRICT.

JUDGES—WILLIAM WATTS, Crookston.
A. GRINDELAND, Warren.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Norman	Fourth Monday in November; second Monday in July.	Ada.	1899. Ch. 367.
Polk	First Tuesday in December; first Tuesday in June.	Crookston.	1903. Ch. 307.
Marshall	Second Tuesday in November; fourth Tuesday in June.	Warren.	1903. Ch. 307.
Kittson	Second Monday in December and second Monday in June.	Hallock.	1903. Ch. 307.
Red Lake	Fourth Monday in March; fourth Monday in October.	Red Lake Falls.	1903. Ch. 2.
Roseau	Fourth Monday in January and fourth Monday in July.	Roseau.	1903. Ch. 307.

FIFTEENTH JUDICIAL DISTRICT.

JUDGES—W. S. McCLANAHAN, Brainerd.
M. A. SPOONER, Bemidji.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Aitkin	Second Tuesday in May and third Tuesday in October.	Aitkin.	1901. Ch. 41.
Itasca	First Tuesday in June and first Tuesday in December.	Grand Rapids.	1901. Ch. 41.
Crow Wing	Third Tuesday in May and second Tuesday in December.	Brainerd.	1903. Ch. 180.
Hubbard	Second Tuesday in January and Third Tuesday in June.	Park Rapids	1901. Ch. 41.
Beltrami	Third Tuesday in March and third Tuesday in September.	Bemidji.	1901. Ch. 41.
Cass	Third Tuesday in April and third Tuesday in November.	Walker.	1901. Ch. 41.

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SIXTEENTH JUDICIAL DISTRICT.

JUDGE—S. A. FLAHERTY, Morris.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Big Stone.....	Second Monday in May; second Monday in November.	Ortonville.	1903. Ch. 68.
Grant.....	Fourth Monday in May; fourth Monday in October.	Elbow Lake.	1903. Ch. 68.
Pope.....	Second Monday in June and first Monday in December.	Glenwood.	1901. Ch. 127.
Stevens.....	Third Monday in March and second Monday in October.	Morris.	1903. Ch. 68.
Traverse.....	Third Monday in June; third Monday in November.	Wheaton.	1903. Ch. 68.
Wilkin.....	First Monday in June and second Monday in December.	Breckenridge.	1903. Ch. 68.

SEVENTEENTH JUDICIAL DISTRICT.

JUDGE—JAMES H. QUINN, Fairmont.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Faribault.....	First Tuesday in June; second Tuesday in January.	Blue Earth City.	1897. Ch. 378.
Martin.....	First Tuesday in May and De- cember.	Fairmont.	1897. Ch. 378.
Jackson.....	Third Tuesday in May; third Tuesday in November.	Jackson.	1902. Ch. 69.

EIGHTEENTH JUDICIAL DISTRICT.

JUDGE—ARTHUR E. GIDDINGS, Anoka.

COUNTIES.	TERMS.	WHERE HELD.	LAWS.
Anoka.....	Third Monday in March; second Monday in October.	Anoka.	1903. Ch. 280.
Isanti.....	Third Monday in April and fourth Monday in September.	Cambridge.	1903. Ch. 280.
Wright.....	First Monday in June and De- cember.	Buffalo.	1897. Ch. 379.
Sherburne.....	Fourth Monday in March; second Monday in November.	Elk River.	1899. Ch. 362. 1903. Ch. 280.

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Index to Amendments to the Constitution and to Sections of the General Statutes of 1894, Amended, Supplemented or Repealed by the Laws Enacted 1895, 1897, 1899, 1901, 1902 and 1903.

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- Art. 1, sec. 13, proposed amendment by chap. 5, Laws 1895. Adopted at election of 1896.
- Art. 4, proposed amendment by chap. 4, Laws 1895, adding sec. 36, allowing cities to frame their own charter. Adopted at the election of 1896. Also, chap. 280, Laws 1897.
- Art. 5, sec. 4, proposed amendment by chap. 2, Laws 1895, creating a board of pardons. Adopted at election of 1896.
- Art. 7, sec. 1, proposed amendment by chap. 3, Laws 1895. Adopted at election of 1896.
- Art. 7, sec. 8, amendment proposed by chap. 175, Laws 1897, relating to the elective franchise of women.
- Art. 8, proposed amendment by chap. 6, Laws 1895, adding sec. 6. Adopted at election of 1896.
- Art. 9, amendment providing for the taxation of sleeping, parlor, and drawing room cars and telegraph and telephone lines. Adopted at the general election of 1896, page IX., General Laws of 1897.
- Art. 14, sec. 1, amendment to the effect that a majority vote of electors voting makes amendment valid. Adopted at the general election of 1898, page IV., General Laws of 1899.
- Art. 4, sec. 36, amendment authorizing cities to frame their own charters. Adopted at the general election of 1898, page V., General Laws of 1899.
- Art. 9, amendment creating road and bridge fund. Adopted at the general election of 1898, page VIII., General Laws of 1899.
- Art. 9, sec. 16, proposed amendment establishing road and bridge fund, page III., General Laws of 1901.
- Art. 8, sec. 6, proposed amendment to, as to loaning school and university funds to counties, school districts, villages, etc., page IV., General Laws of 1901.
- Art. 9, secs. 1, 2 and 3, proposed amendment providing for a tax on real estate mortgages, and on the franchises of corporations and upon the income of corporation and individuals in excess of \$1,000; chap. 1, page III., General Laws 1902.
- Art. 8, sec. 6, proposed amendment of as to loaning of permanent school and university funds to counties, school districts, cities, towns and villages, chap. 25, Laws 1903.
- Art. 1, sec. 7, proposed amendment of as to rights of persons accused of crime, chap. 269, Laws 1903.

GENERAL STATUTES OF 1894.

Sec.

- 1-205 supplemented, primary election law, chap. 276, Laws 1895.
 supplemented, corrupt practices act, chap. 277, Laws 1895.
 amended, primary election law, chap. 125, Laws 1897.
 amended, primary election law, chap. 137, Laws 1897.
- 1 supplemented, as to primary elections in counties of 200,000, chap. 349 Laws 1899.
- 4-205 supplemented, use of voting machines, chap. 296, Laws 1897.
- 8 amended, certificate of nomination for office, chap. 134, Laws 1895.
 amended, as to election districts, chap. 269, Laws 1899.
- 25 amended, relating to state white ballot, chap. 190, Laws 1897.
- 29 supplemented, relating to state and county ballot, chap. 275, Laws 1895.
- 30 amended, as to elections, chap. 109, Laws 1901.
- 40 amended, relating to certificate of nomination, chap. 135, Laws 1895.
- 50 amended, relating to regulation of elections, chap. 136, Laws 1895.
- 52 supplemented, to place national flag on voting places, chap. 183, Laws 1897.
- 67 amended, judges of election in cities, chap. 137, Laws 1895.
- 68 amended, relating to registration in cities, chap. 14, Laws 1897.
 amended, relating to oath of voter, chap. 232, Laws 1897.
- 73 amended, relating to elections, chap. 137, Laws 1895.
- 74 amended, relating to elections, chap. 137, Laws 1895.
- 82 amended, as to conduct of elections, chap. 139, Laws 1895.
- 83 amended, regulating election in villages, chap. 139, Laws 1895.
- 84 amended, regulating elections in villages, chap. 139, Laws 1895.
 amended, regulating elections, chap. 137, Laws 1895.
- 103 amended, as to oath of voter, chap. 232, Laws 1897.
- 116 amended, application of election law, chap. 139, Laws 1895.
- 117 amended by chap. 139, Laws 1895.
- 118 amended by chap. 139, Laws 1895.
- 119 amended by chap. 139, Laws 1895.
- 120 amended by chap. 139, Laws 1895.
- 121 amended by chap. 139, Laws 1895.
- 123 amended, as to canvas of votes, chap. 242, Laws 1897.
- 140 amended, as to counting votes, chap. 242, Laws 1897.
- 153 amended, as to care of boxes at elections, chap. 348, Laws 1897.
- 163 amended, as to pay of election boards, chap. 137, Laws 1895.
 amended by chap. 324, Laws 1897.
- 177 amended, as to pay of auditors, chap. 138, Laws 1895.
- 190 amended, as to contests in city, county and state elections, chap. 365, Laws of 1901.
- 204 amended, as to village elections, chap. 139, Laws 1895.
 amended, as to village elections, chap. 139, Laws 1895.
- 205 supplemented, as to publication of ballot, chap. 276, Laws 1895.
- 214-216 supplemented, members of legislature, chap. 120, Laws 1897.
- 215 amended, as to senatorial and representative districts, chap. 45, Laws 1899.
- 216 amended, as to county boundaries, chap. 32, Laws 1899.
- 259 repealed as to public printing, chap. 269, Laws 1897.
- 260 amended, as to printing report of Minnesota Educational Association, chap. 307, Laws 1897.
 amended, as to printing report of state horticultural society, chap. 358, Laws 1895.
- 261-264 repealed, as to prices of public printing, chap. 269, Laws 1897.
- 265 supplemented, as to public reports, chap. 358, Laws 1895.
- 266-268 repealed, as to printing of laws, chap. 269, Laws 1897.
- 270 amended, as to keeping journals, chap. 339, Laws 1895.
- 276-277 repealed, as to paper for state printing, chap. 269, Laws 1897.
- 280 repealed, as to duties of printing expert, chap. 269, Laws 1897.
- 282 repealed, as to accounts of printing, chap. 269, Laws 1897.

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- 284 repealed, as to state fiscal year, chap. 269, Laws 1897.
- 288 repealed, as to definition of charge for printing, chap. 269, Laws of 1897.
- 290 amended, as to legislative manual, chap. 64, Laws 1895.
 amended, as to publication of legislative manual, chap. 106, Laws 1899.
 amended, as to publication of legislative manual, chap. 176, Laws 1903.
- 297 repealed, as to pay of editorial labor, chap. 269, Laws 1897.
- 306 supplemented, as to custodian of public documents in secretary of state's office, chap. 137, Laws 1899.
- 308 supplemented, as to provide certain state and other officers with Minnesota digest of supreme court reports, chap. 202, Laws 1897.
- 316 supplemented, as to clerk of state secretary, chap. 358, Laws 1897.
- 317 supplemented, as to recording clerk state secretary, chap. 155, Laws 1897.
- 318 supplemented, as to disposition of fees, state secretary, chap. 356, Laws 1895.
- 339 supplemented, as to office of state treasurer, chap. 348, Laws 1895.
 supplemented, as to duties of deputy state treasurer, chap. 298, Laws 1899;
 also, as to salary, chap. 302, Laws 1899.
- 340 amended, as to bond of state treasurer, chap. 95, Laws 1899.
- 344 supplemented, as to report of state treasurer, chap. 338, Laws 1897.
 amended, as to interest on state deposits, chap. 309, Laws 1899.
- 351 supplemented, as to transfer general revenue fund, chap. 188, Laws 1895.
- 353 amended, as to management of state funds, chap. 199, Laws 1903.
- 354 supplemented, as to commission to adjust state claims, chap. 212, Laws 1899.
- 375 supplemented, as to deputy clerk railway commission, chap. 155, Laws 1897.
- 379 supplemented, as to railway commission, chap. 152, Laws 1895.
 supplemented, as to toilet rooms and cabooses on freight trains, chap. 314, Laws 1899.
- 379-403 supplemented, as to platforms at railway stations, chap. 222, Laws 1899.
- 381 amended, as to railway facilities for traffic, chap. 91, Laws 1895.
- 386 amended, relating to fixing rates of common carriers, chap. 67, Laws 1897.
 supplemented, as to railroad freight rates, chap. 100, Laws 1899.
- 387 amended, as to qualifications railway commissioner, chap. 91, Laws 1895.
 amended, as to election of state railroad and warehouse commission, chap. 39, Laws 1899.
- 388 supplemented, as to legal gauge of railways, chap. 78, Laws 1899; also, by chap. 100, Laws 1899, as to railroad freight rates.
- 393 supplemented, as to suits by attorney general, chap. 288, Laws 1897.
 amended, as to appeal from railway commissioners, chap. 91, Laws 1895.
 amended, as to appeal from railway commissioners, chap. 107, Laws 1895.
- 395 amended, as to reports from carriers, chap. 284, Laws 1897.
- 403 supplemented, as to toilet rooms in cabooses of freight trains, chap. 314, Laws 1899.
- 409 supplemented, as to disbursements, chap. 155, Laws 1897.
- 410-424 as to appointment and duties of public examiner, amended by chap. 5, Laws 1902.
- 421 supplemented, as to increase contingent fund, chap. 350, Laws 1895.
 amended, as to salary of public examiner, chap. 288, Laws 1903.
- 423 supplemented, as to appropriations, chap. 155, Laws 1897.
- 425 supplemented, as to food products, chap. 199, Laws 1895.
 supplemented, as to food products, chap. 200, Laws 1895.
- 435 supplemented, as to impure water, chap. 64, Laws 1897.
- 437 amended, as to collection of vital statistics, chap. 337, Laws 1899.
- 438 amended, as to collection of vital statistics, chap. 337, Laws 1899.
- 439 amended, as to collection of vital statistics, chap. 337, Laws 1899.
- 441 amended, as to collection of vital statistics, chap. 337, Laws 1899.
- 443 supplemented, as to state appropriations, chap. 155, Laws 1897.
- 452 amended, as to illuminating oils, chap. 65, Laws 1897.

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- 468 supplemented, as to pay of state land agent, chap. 155, Laws 1897.
- 469 supplemented, as to license of electricians, chap. 312, Laws 1899.
- 478 supplemented, as to appropriations, chap. 155, Laws 1897.
- 480 amended, as to inspectors of steam vessel and steam boilers, chap. 91, Laws 1899.
- 480-494 amended, as to inspection of boilers and steam vessels, chap. 131, Laws 1903.
- 493 amended, licensing of engineers, chap. 271, Laws 1897.
- 495 supplemented, as to state capitol board, chap. 347, Laws 1895.
- 501 amended, as to new state capitol building, chap. 232, Laws 1899.
- 502 amended, as to state capitol building, chap. 118, Laws 1895.
- supplemented, as to state capitol building, chap. 96, Laws 1897.
- 506 amended, material state capitol, chap. 118, Laws 1895.
- supplemented, as to bonds of contractors on public works, chap. 354, Laws 1895.
- amended, material state capitol, chap. 307, Laws 1897.
- amended, as to new capitol building, chap. 254, Laws 1899.
- 509 supplemented, as to funding commission, chap. 377, Laws 1895.
- 519 supplemented, as to interest on revenue fund, chap. 362, Laws 1895.
- amended, as to temporary loans by state, chap. 233, Laws 1903.
- 528 supplemented, as to bonds of state officers, chap. 295, Laws 1895.
- supplemented, as to bonds of state officers, chap. 338, Laws 1897.
- 530 amended, as to state treasurer's clerk, chap. 104, Laws 1895.
- supplemented, as to salary of assistant attorney general, chap. 139, Laws 1899.
- 532 amended, as to county attorneys, chap. 98, Laws 1897.
- supplemented, as to clerk hire of county attorney, chap. 81, Laws 1899.
- 535 supplemented, as to probation of juvenile delinquents, chap. 154, Laws 1899.
- 549 supplemented, as to reimbursement of Cass county, chap. 253, Laws 1899.
- 553 supplemented, Cook county detached from Lake county, chap. 108, Laws 1899.
- 601 supplemented, as to boundaries of St. Louis county, chap. 248, Laws 1895.
- 620 amended, as to unorganized counties, chap. 45, Laws 1897.
- amended, as to unorganized counties, chap. 99, Laws 1897.
- amended as to unorganized counties, chap. 308, Laws 1897.
- amended, as to change of county lines, chap. 32, Laws 1899.
- 621 amended, as to newly organized counties, chap. 104, Laws 1899.
- 622 amended, as to formation new counties, chap. 124, Laws 1895.
- 624 amended, as to formation new counties, chap. 124, Laws 1895.
- 632 amended, as to transcript of records, chap. 236, Laws 1897.
- 635 supplemented, as to county bonds, chap. 278, Laws 1895.
- amended, as to county bonds, chap. 295, Laws 1897.
- 638 amended, as to powers of counties, chap. 45, Laws 1897.
- supplemented, as to powers of counties, chap. 147, Laws 1897.
- supplemented, as to election of county assessor in counties of 100,000 and not over 185,000, chap. 140, Laws 1899.
- 641 supplemented, as to funds for completion of city buildings, chap. 125, Laws 1899.
- 642 supplemented, as to suits against counties, chap. 230, Laws 1897.
- 644 amended, as to counties and county officers, chap. 332, Laws 1899.
- amended, as to allowance of claims against counties, chap. 337, Laws 1903.
- 651 amended, as to change of county seats, chap. 111, Laws 1899.
- 657-706 supplemented, as to board of county commissioners, chap. 278, Laws 1895.
- 659 supplemented, as to holding more than one office, chap. 131, Laws 1897.
- 665 amended, as to pay of county commissioners, chap. 109, Laws 1897.
- supplemented, as to compensation of county commissioners in counties of 200,000; amended, as to same, chap. 177, Laws 1899.

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- 665 amended, as to compensation of county commissioners by chap. 40, Laws 1902.
amended, as to pay of county commissioners, chap. 103, Laws 1903.
- 673 supplemented, as to drawing of jurors in counties of over 200,000, chap. 151, Laws 1899; also, by chap. 240, Laws 1899.
- 675 supplemented, as to drawing of jurors in counties of 200,000; also by chap. 240, Laws 1899.
- 680 amended, as to annual statement of county commissioners, chap. 390, Laws 1903.
- 681 supplemented, as to road and bridge fund, chap. 287, Laws 1895.
supplemented, as to enlarging of counties, chap. 298, Laws 1895.
supplemented, as to pay officers of counties, chap. 301, Laws 1895.
supplemented, as to lands for public purposes, chap. 278, Laws 1895.
supplemented, as to county bonds, chap. 289, Laws 1895.
supplemented, as to manner of bonding counties, chap. 297, Laws 1895.
supplemented, as to legalizing bonds, chap. 11, Laws 1897.
supplemented, as to legalizing purchase of land, chap. 73, Laws 1897.
supplemented, as to use of money for prevention of cruelty, chap. 182, Laws 1897.
supplemented, as to certificates of indebtedness, chap. 194, Laws 1897.
supplemented, as to erection of court houses, etc., chap. 230, Laws 1897.
amended, as to highways in villages, chap. 234, Laws 1897.
supplemented, as to highways in villages, chap. 234, Laws 1897.
supplemented, as to floating indebtedness, chap. 272, Laws 1897.
repeal of amendment of 1895, chap. 295, Laws 1897.
supplemented, as to voting machines, chap. 296, Laws 1897.
supplemented, as to appropriations by county commissioners in counties of 200,000, chap. 30, Laws 1899; as to levying of taxes by county commissioners, chap. 31, Laws 1899; also, as to control of road and bridge fund, chap. 53, Laws 1899; also, to appropriations to improve navigable lakes, chap. 56, Laws 1899; also, as to purchase of lands for fair grounds, chap. 75, Laws 1899; also, as to salary of county attorney, chap. 131, Laws 1899; also, as to appropriations for improvement of navigable lakes, chap. 132, Laws 1899; also, as to organization of towns, chap. 197, Laws 1899; also, as to bonds for floating indebtedness, chap. 259, Laws 1899; also, as to town care of poor, chap. 285, Laws 1899; also, as to right of way of street railways, chap. 305, Laws 1899; also, as to use of ballot machines, chap. 315, Laws 1899; also, as to care of orphans, chap. 329, Laws 1899; also, as to the care of bridges, chap. 330, Laws 1899; also, as to monuments for Union soldiers, chap. 339, Laws 1899.
- 691 supplemented, as to town overseers not to hold more than one office, chap. 172, Laws 1897.
supplemented, as to election of county assessor in counties of 100,000 and not over 185,000, chap. 140, Laws 1899.
- 691-692 supplemented, as to organization of unorganized counties, chap. 99, Laws 1897.
- 694-695 supplemented, as to organization of unorganized counties, chap. 99, Laws 1897.
- 697-700 supplemented, as to establishing section corner posts, chap. 249, Laws 1895.
supplemented, as to establishing section lines, chap. 250, Laws 1895.
repeal of chap. 249, Laws 1895; chap. 277, Laws 1897.
- 697 amended, as to establishment of section and meander posts, chap. 126, Laws 1899.
- 701-706 supplemented, as to organization of unorganized counties, chap. 99, Laws 1897.
- 703 amended, as to organization of school districts in unorganized counties, chap. 46, Laws 1899.

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- 704 amended, as to county commissioners in unorganized counties, chap. 125, Laws 1895.
 amended, as to issue of bonds by counties, chap. 150, Laws 1897.
 supplemented, as to county roads, chap. 199, Laws 1897.
 supplemented, to establish certain highways, chap. 208, Laws 1897.
 amended, as to appeals from county commissioners and town supervisors, chap. 153, Laws 1899; also, by chap. 202, Laws 1899, as to county roads, chap. 202, Laws 1899.
- 705 amended, as to board of commissioners, chap. 125, Laws 1895.
- 707 amended, as to county auditor and treasurer, chap. 11, Laws 1895.
 supplemented, as to the levy of taxes by county commissioners in counties of 200,000, chap. 31, Laws 1899.
- 715 supplemented, as to county auditor, chap. 44, Laws 1897.
- 720 supplemented, as to salaries of county auditors and treasurers, chap. 291, Laws 1895.
 supplemented, as to salaries of county auditors and treasurers, chap. 292, Laws 1895.
- 720 amended, as to chap. 291, Laws 1895; chap. 8, Laws 1897.
 amended, as to salaries of clerks of county auditor, chap. 318, Laws of 1901.
- 721 supplemented, as to clerk hire in offices of county auditor and treasurer, chap. 288, Laws 1895.
 amended, as to chap. 288, Laws 1895; chap. 273, Laws 1897.
- 722 amended, as to offices of county auditor and treasurer, chap. 11, Laws 1895.
- 722-759 supplemented, as to clerk hire, chap. 288, Laws 1895.
- 728 supplemented, as to levy of taxes by county commissioners in counties of 200,000, chap. 31, Laws 1899.
- 728-729 amended by chap. 338, Laws 1897.
- 729 amended by chap. 323, Laws 1897.
- 731-732 amended by chap. 338, Laws 1897.
- 737 amended by chap. 8, Laws 1897.
- 758 supplemented, as to salaries, chap. 291, Laws 1895.
 supplemented, as to salaries, chap. 292, Laws 1895.
 supplemented, as to clerk hire, chap. 288, Laws 1895.
 amended, as to salaries, chap. 8, Laws 1897.
 amended, as to salaries, chap. 273, Laws 1897.
 supplemented, as to clerk hire in office of county treasurer, chap. 89, Laws 1899.
- 766 supplemented, as to the recording of deeds, decrees, judgments, etc., chap. 76, Laws of 1897.
- 779-781 supplemented, legalizing certain certificates of sale and prescribing force of same, chap. 42, Laws 1897.
- 783 supplemented, as to bonds of sheriffs and clerks of court, chap. 281, Laws 1895.
- 795 amended, as not to practice as attorney, chap. 4, Laws 1897.
- 801-816 supplemented, as to county attorneys, chap. 282, Laws 1895.
- 803 supplemented, as to duties of county attorney, chap. 344, Laws 1897.
- 809 supplemented, as to county attorney, chap. 344, Laws 1897.
- 810 supplemented, as to fees of county attorney, chap. 344, Laws 1897.
- 813 supplemented, as to salary of assistant county attorney in counties of 200,000, chap. 209, Laws 1899.
- 823-828 amended, as to court commissioner, chap. 311, Laws 1897.
- 829-837 supplemented, as to duties of county surveyor, chap. 280, Laws 1895.
- 830 supplemented, as to duty of county surveyor in counties of 200,000, chap. 29, Laws 1899.
- 831 supplemented, as to deputy county surveyors, chap. 320, Laws 1897.
- 834-836 supplemented, as to section corners, chap. 249, Laws 1895.
- 843 amended, as to coroner's inquests, chap. 97, Laws 1901.

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- 846 supplemented, as to fees of coroner and justice juror, chap. 299, Laws 1899.
- 856 supplemented, as to bonds of sheriffs and clerks of court, chap. 281, Laws 1895.
- 856-869 supplemented, as to transcript of records in office of clerks of court, chap. 305, Laws 1895.
- 865 supplemented, as to vacancy in office of clerk of court, chap. 283, Laws 1895.
- 879 supplemented, as to sureties on bonds, chap. 295, Laws 1895.
- 889 supplemented, as to unorganized counties, chap. 99, Laws 1897.
- 897 amended, as to resignations and removals of public officers, chap. 282, Laws 1903.
- 914 amended, as to organization of school districts in unorganized counties, chap. 46, Laws 1899.
 - supplemented, as to organization of towns, chap. 197, Laws 1899.
 - supplemented, as to validated town organization, chap. 121, Laws 1899.
 - supplemented, as to salaries of county attorneys, chap. 206, Laws 1899.
- 915 amended, as to township organization, chap. 9, Laws 1895.
 - supplemented, as to division of counties, chap. 227, Laws 1895.
- 922 supplemented, as to disposition of town funds, chap. 255, Laws 1895.
 - supplemented, as to neglected cemeteries, chap. 28, Laws 1897.
 - supplemented, as to actions for injuries, chap. 248, Laws 1897.
 - supplemented as to voting machines at elections, chap. 296, Laws 1897.
 - supplemented, as to rebate on assessments, chap. 71, Laws 1899.
 - supplemented, as to construction of roads, chap. 227, Laws 1899.
 - supplemented, as to cemetery, chap. 264, Laws 1899.
- 923 amended, as to title of burial lots, chap. 340, Laws 1899.
- 927 supplemented, as to village elections, chap. 239, Laws 1897.
 - amended, as to town elections and place of, chap. 59, Laws 1899.
- 928-930 supplemented, as to eligibility of supervisors, chap. 172, Laws 1897.
- 928 amended, as to election of town supervisors, chap. 64, Laws 1903.
- 930 supplemented, as to laying out county roads, chap. 199, Laws 1897.
 - supplemented, as to construction of roads, chap. 227, Laws 1899.
 - supplemented, as to cemeteries, chap. 264, Laws 1899.
 - supplemented, as to use of ballot machines, chap. 315, Laws 1899.
- 930-933 supplemented, as to township graded schools, chap. 205, Laws 1897.
- 966 amended, as to villages and towns, chap. 260, Laws 1895.
 - supplemented, as to villages and towns, chap. 252, Laws 1895.
- 968 supplemented, as to license of peddlers, chap. 107, Laws 1897.
 - supplemented, as to deposit of funds, chap. 255, Laws 1895.
 - amended, as to license of pool tables, etc., chap. 51, Laws 1895.
- 969 supplemented, as to town supervisors, chap. 320, Laws 1897.
- 984 amended, as to town clerks, chap. 247, Laws 1897.
- 990 supplemented, as to town orders, chap. 254, Laws 1895.
- 993 amended, as to duties of town clerk, chap. 10, Laws 1895.
- 998 supplemented, as to duties of treasurer of town, chap. 353, Laws 1897.
- 1003 amended, as to fees of town officers, chap. 13, Laws 1895.
- 1005 supplemented by chap. 248, Laws 1897.
- 1028 supplemented by chap. 254, Laws 1895.
- 1034 amended by chap. 131, Laws 1895.
- 1045 amended by chap. 61, Laws 1897.
 - supplemented by chap. 338, Laws 1897.
 - amended, as to organization of cities, chap. 52, Laws 1899.
 - amended, as to municipal courts in cities of less than 5,000, chap. 127, Laws 1899.
 - amended, as to organization of cities, chap. 319, Laws 1899.
 - amended, as to municipal courts in cities of less than 5,000, chap. 271, Laws 1899.
 - amended, as to organization of cities, chap. 308, Laws 1897.

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- 1045 supplemented, as to validated organization of cities and villages, chap. 356, Laws 1899.
- 1045-1507 supplemented and repealed by chap. 8, Laws 1895.
 supplemented by chap. 81, Laws 1897.
 supplemented by chap. 248, Laws 1897.
 supplemented by chap. 248, Laws 1897.
- 1045-1195 supplemented, as to public works, chap. 228, Laws 1895.
 supplemented, as to municipal courts, chap. 229, Laws 1895.
 supplemented, as to annexing territory to cities, chap. 247, Laws 1895.
- 1045-1195 proceedings under legalized, as to incorporation of cities by chap. 56, Laws 1902.
- 1050 supplemented by chap 239, Laws 1895.
 amended, as to elective officers of cities, chap. 63, Laws 1899.
 supplemented, as to boards of equalization in cities of less than 10,000, chap. 116, Laws 1899.
- 1061 supplemented, as to boards of equalization in cities of less than 10,000, chap. 116, Laws 1899.
- 1061-1082 supplemented by chap. 242, Laws 1895.
 supplemented, certain town officers not to hold other office, chap. 131, Laws 1895.
- 1072 supplemented, as to destruction of weeds in cities of less than 50,000, chap. 107, Laws 1899.
- 1074 amended, as to municipal courts in cities of less than 5,000, chap. 102, Laws 1899.
- 1082 supplemented, as to disorderly conduct, chap. 108, Laws 1897.
- 1085 supplemented by chap. 200, Laws 1895.
 supplemented, as to sprinkling streets, chap. 233, Laws 1895.
 supplemented, as to scales and weighmaster, chap. 240, Laws 1895.
 supplemented, as to village and city lockups, chap. 264, Laws 1895.
 supplemented, as to scales, chap. 338, Laws 1895.
 supplemented, as to power of villages as respects water works, chap. 263, Laws 1895.
 supplemented by chap. 28, Laws 1897.
 supplemented by chap. 37, Laws 1897.
 supplemented by chap. 50, Laws 1897.
 supplemented by chap. 68, Laws 1897.
 supplemented, as to disorderly houses, chap. 108, Laws 1897.
 supplemented, as to public docks, chap. 181, Laws 1897.
 supplemented, as to prevention of cruelty, chap. 182, Laws 1897.
 supplemented, chap. 187, Laws 1897.
 supplemented, chap. 218, Laws 1897.
 supplemented, as to settling claims, chap. 227, Laws 1897.
 supplemented, chap. 246, Laws 1897.
 supplemented, any village or city may frame its charter, chap. 255, Laws 1897.
 supplemented, chap. 275, Laws 1897.
 supplemented, as to automatic voting machines, chap. 296, Laws 1897.
 supplemented, as to the prevention of disorderly conduct, chap. 301, Laws 1897.
 supplemented, defining vagrancy, chap. 335, Laws 1897.
 supplemented, as to bridges in cities of 50,000.
 supplemented, as to public schools in cities of 50,000, chap. 40, Laws 1899.
 supplemented, as to bonds for floating indebtedness in cities of 50,000, chap. 50, Laws 1899.
 supplemented, as to rebate of assessments, chap. 71, Laws 1899.
 supplemented, as to road improvement in cities of 10,000 or less, chap. 110, Laws 1899.

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- 1085 supplemented, as to town plats in cities of 10,000 or less, chap. 168, Laws 1899.
 supplemented, as to shade trees in cities of 50,000, chap. 171, Laws 1899.
 supplemented, as to care of grass plots in cities of more than 50,000, chap. 173, Laws 1899.
 supplemented, as to removal of snow and ice in cities of more than 50,000, chap. 201, Laws 1899.
 supplemented, as to frontage tax for water pipes in cities of 10,000, chap. 248, Laws 1899.
 amended, as to organization of cities, chap. 275, Laws 1899.
 supplemented, as to acquisition of public parks in cities of 50,000, chap. 279, Laws 1899.
 amended, as to street sprinkling in cities of 15,000 and no more than 50,000, chap. 280, Laws 1899.
 supplemented, as to acquisition of public markets in cities of more than 50,000, chap. 292, Laws 1899.
 supplemented, as to sites for state institutions in cities of less than 10,000, chap. 296, Laws 1899.
 supplemented, as to levy of special school tax in cities of less than 10,000, chap. 297, Laws 1899.
 supplemented, as to ballot machines, chap. 315, Laws 1899.
 supplemented, as to issue of certificates of indebtedness in cities of 50,000, chap. 327, Laws 1899.
 supplemented, as to framing of charter by cities, chap. 351, Laws 1899.
- 1088 supplemented, as to prevention of spread of noxious weeds, chap. 271, Laws 1895.
 supplemented, as to destruction of Russian thistle, chap. 274, Laws 1895.
- 1088 supplemented, as to punishment of riotous conduct, etc., chap. 108, Laws 1897.
 supplemented, as to dogs a public nuisance, chap. 286, Laws 1899.
- 1090 supplemented, legalizing floating indebtedness and certain acts of cities, chap. 3, Laws 1897.
 supplemented, to provide for registration of municipal bonds, chap. 22, Laws 1897.
 amended, as to incorporation of parishes in Protestant Episcopal church, chap. 33, Laws 1897.
 supplemented, chap. 37, Laws 1897.
 supplemented, chap. 218, Laws 1897.
 supplemented, chap. 355, Laws 1897.
- 1090-1097 supplemented, authorizing cities to issue certificates of indebtedness, chap. 232, Laws 1895.
 supplemented, as to adjustment of municipal indebtedness, chap. 251, Laws 1895.
- 1092 supplemented, legalizing floating indebtedness and certain acts of cities, chap. 3, Laws 1897.
 supplemented, to provide for registration of municipal bonds, chap. 22, Laws 1897.
 supplemented, as to issue of certificates of indebtedness in cities of 10,000 or less, chap. 17, Laws 1899.
- 1093 supplemented, issuance and sale of municipal bonds, etc., chap. 355, Laws 1897.
 supplemented, bonds of cities of less than 10,000, for electric light and water works, legalized, chap. 251, Laws 1899.
- 1094 supplemented, as to park system in certain cities, chap. 206, Laws 1897.
 amended, chap. 270, Laws 1897.
 amended, chap. 128, Laws 1895.
 supplemented, as to certificates of indebtedness in cities of 10,000 or less, chap. 17, Laws 1899; also, as to bridge funds in cities of 50,000, chap. 38, Laws 1899.

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- 1094-1097 supplemented, chap. 231, Laws 1895.
 supplemented, as to legalizing city bonds, chap. 90, Laws 1897.
 supplemented, as to legalizing city bonds previously voted, chap. 129, Laws 1897.
- 1095 supplemented, legalizing floating indebtedness and certain acts of cities, chap. 3, Laws 1897.
 supplemented, to provide for registration of municipal bonds, chap. 22, Laws 1897.
 supplemented, as to frontage water tax in cities, chap. 87, Laws 1899;
 also, bonds of cities of less than 10,000, for electric light and water works, legalized, chap. 251, Laws 1899.
- 1096 supplemented, legalizing floating indebtedness and certain acts of cities, chap. 3, Laws 1897.
 supplemented, to provide for registration of municipal bonds, chap. 22, Laws 1897.
- 1098 supplemented, as to prevention of spreading weeds, chap. 237, Laws 1895.
 supplemented, as to frontage water tax in cities, chap. 87, Laws 1899.
- 1099 supplemented, as to city assessments for local improvement, chap. 128, Laws 1899.
- 1099-1172 supplemented, as to delinquent special assessment, chap. 234, Laws 1895.
 supplemented, chap. 235, Laws 1895.
 supplemented, chap. 236, Laws 1895.
 amended, chap. 294, Laws 1897.
- 1100 supplemented, chap. 3, Laws 1897.
- 1106 supplemented, park system in certain cities, chap. 206, Laws 1897.
 supplemented, as to vacation of streets and public grounds in cities of over 50,000, chap. 79, Laws 1899.
- 1106-1172 supplemented, chap. 245, Laws 1895.
 supplemented, chap. 246, Laws 1895.
- 1106-1195 supplemented, chap. 243, Laws 1895.
 supplemented, chap. 244, Laws 1895.
- 1109 amended as to vacation of public grounds in cities, chap. 120, Laws 1903.
- 1126 supplemented, chap. 50, Laws 1897.
- 1148 supplemented, as to bonds of public officers, chap. 295, Laws 1895.
- 1155 supplemented, chap. 50, Laws 1897.
- 1159 supplemented, chap. 344, Laws 1897.
- 1164 amended, chap. 127-1, Laws 1895.
- 1170 amended, chap. 127-2, Laws 1895.
- 1171 amended, chap. 127-3, Laws 1895.
- 1187-1195 supplemented, as to pay for services performed for cities, chap. 238, Laws 1895.
 supplemented, as to witness' fees in state cases, chap. 241, Laws 1895.
- 1191 supplemented, as to requesting name of person to be put in jury list, chap. 352, Laws 1897.
- 1195 supplemented, as to destruction of weeds in cities of less than 50,000, chap. 107, Laws 1899.
- 1196-1200 supplemented, as to villages changing name, chap. 261, Laws 1895.
- 1196-1208 supplemented, chap. 72, Laws 1897.
- 1196 amended, as to municipal court judge in villages of 2,000 or over, chap. 289, Laws 1899.
- 1196-1275 supplemented, as to villages purchasing fire apparatus, chap. 257, Laws 1895.
- 1197 supplemented, chap. 268, Laws 1895.
 supplemented, chap. 266, Laws 1895.
- 1200 supplemented, as to legalizing surveys and plats in villages, chap. 220, Laws 1899.
- 1200-1208 supplemented, chap. 170, Laws 1897.
- 1200-1201 amended, as to incorporation of villages, chap. 208, Laws 1903.

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- 1201 supplemented, chap. 135, Laws 1897.
- 1206 supplemented, chap. 135, Laws 1897.
- 1209 amended, as to the separation of villages from towns, chap. 260, Laws 1895.
 supplemented, as to the separation of villages from towns, chap. 52, Laws 1897.
 supplemented, as to division of funds of villages and towns, chap. 121, Laws 1897.
 amended, as to village assessment districts, chap. 124, Laws 1897.
- 1210 supplemented, as to apportioning indebtedness of villages and towns, chap. 135, Laws 1897.
 supplemented, as to township treasurer's paying money to village treasurer, chap. 353, Laws 1897.
- 1212 amended, as to incorporation of villages, chap. 132, Laws 1895.
- 1214 amended, as to villages, chap. 358, Laws of 1901.
- 1216 amended, as to village elections, chap. 60, Laws 1901.
- 1218 amended, as to village assessment districts, chap. 124, Laws 1897.
 amended, as to election of assessor in villages, chap. 33, Laws 1899.
- 1219 amended, as to election of assessor in villages, chap. 33, Laws 1899.
 amended, as to payment of orders by village officers, chap. 190, Laws 1903.
- 1220 supplemented, as to destruction of weeds in cities of less than 50,000, chap. 107, Laws 1899.
- 1221 supplemented, as to change of venue before village justice, chap. 151, Laws 1897.
- 1224 supplemented, as to villages changing name, chap. 261, Laws 1895.
 supplemented, as to village and city lockups, chap. 264, Laws 1895.
 supplemented, as to village cemeteries a part of incorporation, chap. 265, Laws 1895.
 amended, as to powers of villages, chap. 25, Laws 1897.
 supplemented, as to cemeteries, chap. 28, Laws 1897.
 supplemented, as to fire limits, chap. 85, Laws 1897.
 supplemented, as to villages issuing bonds, chap. 179, Laws 1897.
 supplemented, as to public docks, chap. 181, Laws 1897.
 supplemented, as to the prevention of cruelty, chap. 182, Laws 1897.
 supplemented, as to preserving and maintaining bodies of water, chap. 187, Laws 1897.
 supplemented, as to city and village framing its own charter, chap. 255, Laws 1897.
 supplemented, as to incorporated villages issuing bonds, chap. 282, Laws 1897.
 supplemented, as to automatic ballot, chap. 296, Laws 1897.
 supplemented, as to sidewalks in villages, chap. 49, Laws 1899.
 supplemented, as to rebate of assessments in cities and villages, chap. 71, Laws 1899.
 supplemented, as to plats in villages and cities of 10,000 or less, chap. 168, Laws 1899.
 supplemented, as to uniform taxation in villages, chap. 224, Laws 1899.
 supplemented, as to legalizing acts of boards of commissioners in light and water matters, chap. 276, Laws 1899.
 supplemented, as to use of ballot machines, chap. 315, Laws 1899.
 supplemented, as to removal of nauseous substances in villages, chap. 331, Laws 1899.
 supplemented, as to bonds for armories in villages, chap. 346, Laws 1899.
 amended, as to management of city and village lockups, chap. 187, Laws 1899.
 supplemented, as to bonds for outstanding indebtedness in villages, chap. 223, Laws 1899.
 amended, as to village cemeteries, chap. 353, Laws 1903.

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- 1225 supplemented, as to villages, chap. 258, Laws 1895.
supplemented, as to village water works, chap. 263, Laws 1895.
amended, as to water works and lights in villages, chap. 29, Laws 1903.
- 1226 amended, as to village ordinances and contracts, chap. 224, Laws 1897.
- 1228 supplemented, as to plats in cities and villages of 10,00 or less, chap. 168, Laws 1899.
- 1232 supplemented, as to villages issuing bonds, chap. 179, Laws 1897.
- 1235 supplemented, as to villages issuing bonds, chap. 179, Laws 1897.
amended, authorizing villages to issue bonds for improvement, chap. 125, Laws 1903.
- 1240-1244 amended, as to incorporation of villages and their powers and duties, chap. 28, Laws 1903.
amended, as to eminent domain in villages, chap. 388, Laws 1903.
- 1240-1245 supplemented, as to incorporation of villages, chap. 370, Laws 1903.
- 1246 amended, as to vacation of streets, alleys and highways in villages, chap. 57, Laws 1902.
- 1247 amended, chap. 72, Laws 1895.
amended, as to incorporation of villages, chap. 90, Laws 1899.
- 1250 amended, as to highways and bridges within villages, chap. 234, Laws 1897.
- 1256 amended, as to use of license money, chap. 130, Laws 1895.
- 1257 supplemented, as to villages issuing bonds, chap. 179, Laws 1897.
- 1259 amended, as to incorporation of village, chap. 53, Laws 1895.
supplemented, as to jail prisoners, chap. 127, Laws 1897.
supplemented, change of venue in justice courts, chap. 151, Laws 1897.
- 1261 supplemented, as to village council expenditures, chap. 267, Laws 1895.
- 1264 supplemented, as to deputy village clerks and recorders, chap. 270, Laws 1895.
amended, as to duties of village recorder, chap. 115, Laws 1899.
- 1266 supplemented, as to intoxicating liquors, chap. 259, Laws 1895.
- 1269 amended, as to bonds of contractors, chap. 307, Laws 1897.
supplemented, as to bonds of contractors, chap. 354, Laws 1895.
- 1276 supplemented, as to villages changing name, chap. 261, Laws 1895.
supplemented, as to expenditures of money by villages, chap. 267, Laws 1895.
supplemented, as to division of town and village property, chap. 241, Laws 1899.
amended, as to organization of villages, chap. 289, Laws 1899.
- 1276-1424 supplemented, as to reincorporation of villages, chap. 256, Laws 1895.
supplemented, as to purchase of fire apparatus by villages, chap. 257, Laws 1895.
amended, as to reincorporation of villages, chap. 237, Laws 1897.
- 1277 supplemented, as to addition of territory in villages of 1,000 or over, chap. 66, Laws 1899.
supplemented, as to surveys and plats in villages, chap. 220, Laws 1899.
- 1287 supplemented, as to deputy village clerks and recorders, chap. 270, Laws 1895.
- 1289 supplemented, as to appointment of village assessors, chap. 249, Laws 1899.
- 1294 supplemented, to prohibit riotous conduct and keeping disorderly houses, chap. 108, Laws 1897.
- 1296 supplemented, as to disorderly conduct, chap. 108, Laws 1897.
- 1299 supplemented, chap. 200, Laws 1895.
supplemented, as to confirming village ordinances, chap. 258, Laws 1895.
supplemented, as to fire limits of villages, chap. 85, Laws 1897.
supplemented, as to disorderly conduct, chap. 108, Laws 1897.
supplemented, as to issuing bonds, chap. 179, Laws 1897.
supplemented, as to public docks, chap. 181, Laws 1897.
supplemented, as to asylum, chap. 335, Laws 1897.

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- 1299 supplemented, as to construction of sidewalks in villages, chap. 49, Laws 1899.
 supplemented, as to rebate of assessments for local improvements, chap. 71, Laws 1899.
 supplemented, as to plats in cities and villages of 10,000 or less, chap. 168, Laws 1899.
 supplemented, as to bonds of villages for outstanding indebtedness, chap. 223, Laws 1899.
 supplemented, as to uniform rate of taxation in villages, chap. 224, Laws 1899.
 supplemented, as to removal of nauseous substances in villages, chap. 331, Laws 1899.
 amended, as to removal of rubbish in villages, chap. 260, Laws 1899.
 supplemented, as to licensing of electricians in cities, chap. 312, Laws 1899.
- 1307 supplemented, as to city and village lockups, chap. 264, Laws 1895.
- 1316 supplemented, as to village water works, chap. 263, Laws 1895.
- 1317 amended, as to villages issuing bonds, chap. 179, Laws 1897.
- 1321 amended, as to assessment and collection of taxes, chap. 346, Laws 1899.
- 1335 supplemented, as to plats in villages and cities of 10,000 or less, chap. 168, Laws 1899.
- 1356 supplemented, by chap. 199, Laws 1897.
- 1357 supplemented, as to municipal courts in incorporated cities, chap. 140, Laws 1897.
 supplemented, as to cash bail in municipal courts, chap. 301, Laws 1899.
- 1357-1408 supplemented, as to establishing municipal courts, chap. 229, Laws 1895.
- 1359 supplemented, as to extending powers of municipal courts, chap. 57, Laws 1897.
- 1365 supplemented, as to costs in municipal courts, chap. 340, Laws 1897.
- 1376 supplemented, as to pleading and practice in municipal courts in cities of over 2,000, chap. 143, Laws 1899.
- 1392 supplemented, as to costs in municipal courts, chap. 340, Laws 1897.
- 1394 supplemented, as to costs in municipal courts, chap. 340, Laws 1897.
- 1397 supplemented, as to soliciting placing of name on jury list, chap. 352, Laws 1897.
- 1422 amended, as to villages, chap. 133, Laws 1895.
 supplemented, as to actions against municipalities for injuries, chap. 248, Laws 1897.
- 1423 supplemented, chap. 251, Laws 1895.
- 1425 amended, as to public libraries, chap. 140, Laws 1895.
 amended, as to public libraries and reading rooms, chap. 33, Laws 1903.
- 1426 supplemented, as to filling vacancies in boards of public libraries, chap. 162, Laws 1899.
 amended by chap. 114, Laws 1897, and chap. 162, Laws 1899, amended as to libraries and reading rooms, chap. 272, Laws 1901.
 amended, as to libraries and reading rooms, chap. 6, Laws 1903.
- 1427 as amended by chap. 114, Laws 1897, and chap. 162, Laws 1899.
 amended, as to public libraries and reading rooms, chap. 272, Laws 1901.
- 1428 supplemented, as to filling vacancies in boards of public libraries, chap. 162, Laws 1899; chap. 48, Laws 1899.
 amended, by chap. 114, Laws of 1897, and chap. 162, Laws of 1899.
 amended, as to public libraries and reading rooms, chap. 114, Laws 1901.
- 1429 amended, as to libraries and reading rooms, chap. 114, Laws 1897.
 amended, as to maintenance of free public libraries and reading rooms, chap. 48, Laws 1899.
 amended by chap. 114, Laws of 1897, and chap. 162, Laws of 1899.
 amended, as to public libraries and reading rooms, chap. 272, Laws 1901.
 amended, as to management of public libraries, chap. 8, Laws 1901.

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- 1433 amended, as to libraries and reading rooms, chap. 114, Laws 1897.
- 1435 supplemented, legalizing certain indebtedness of cities, chap. 3, Laws 1897.
 amended, relating to issuance of bonds, chap. 22, Laws 1897.
 amended by chap. 26, Laws of 1897, amended as to issuance of bonds for public buildings in cities and villages, chap. 288, Laws of 1901.
- 1435-1440 supplemented, as to municipal bonds, chap. 230, Laws 1895.
- 1455-1458 amended, as to employment bureaus, chap. 74, Laws 1895.
- 1458 amended, as to regulation of employment bureaus, chap. 42, Laws 1899.
- 1461 supplemented, as to notices of infectious diseases, chap. 133, Laws 1897.
- 1466 supplemented, as to disease among swine, chap. 47, Laws 1897.
- 1466-1488 supplemented, as to contagious diseases, chap. 233, Laws 1897.
- 1470 supplemented, as to disease among swine, chap. 47, Laws 1897.
- 1499 amended, as to collection of judgments against cities and villages, chap. 123, Laws 1903.
- 1506 supplemented, as to indebtedness of municipalities, chap. 251, Laws 1895.
- 1507 supplemented, as to indebtedness of municipalities, chap. 251, Laws 1895.
- 1508 supplemented, as to taxation of grain, chap. 220, Laws 1897.
 supplemented, as to taxes on gifts, etc., chap. 293, Laws 1897.
 amended, as to taxation of freight line and equipment companies, chap. 135, Laws 1899.
 supplemented, as to taxation of timber and mineral lands, chap. 235, Laws 1899.
 amended, as to taxation on inheritance, chap. 261, Laws 1899.
 amended, as to taxation of express companies, chap. 317, Laws 1899.
- 1512 amended, as to assessment and collection of taxes, chap. 216, Laws 1899.
- 1514 amended, as to listing property for taxation, chap. 138, Laws 1903.
- 1516 amended, as to place of listing personal property for taxation, chap. 4, Laws 1902.
- 1517 supplemented, as to taxation of steam vessels, chap. 224, Laws 1895.
- 1517-1519 supplemented, as to taxation of express companies, chap. 309, Laws 1897.
- 1524 amended, as to assessment and collection of taxes, chap. 76, Laws 1895.
- 1537 amended, as to assessment of taxes, chap. 246, Laws 1903.
- 1538 supplemented, chap. 294, Laws 1895.
- 1552 supplemented, to ratify acts of boards of equalization, chap. 130, Laws 1897.
 amended, as to equalization of taxes by county boards, chap. 298, Laws 1901.
- 1555 supplemented, to grant additional powers to boards of equalization, chap. 134, Laws 1897.
 amended, as to taxation of freight line and equipment companies, chap. 135, Laws 1899.
- 1557 supplemented, as to levy of taxes for state purposes, chap. 273, Laws 1899.
- 1558 amended, as to tax rates for state and county purposes, chap. 117, Laws 1899.
- 1567 amended, as to payment of delinquent taxes, chap. 84, Laws 1899.
 supplemented, as to refunding of taxes in certain cases, chap. 93, Laws 1899.
 amended, as to assessment and collection of taxes, chap. 246, Laws 1899.
- 1568 amended, as to assessment and collection of taxes, chap. 14, Laws 1895.
- 1577 amended, as to payment of funds by county treasurers, chap. 100, Laws 1897.
- 1578 amended, as to assessment and collection of taxes, chap. 54, Laws 1897.
- 1578-1697 repealed and superseded by chap. 2, Laws 1902.
- 1579 supplemented, as to taxes delinquent prior to 1897, chap. 322, Laws 1899.

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- 1579 supplemented, as to defective sales for local improvements, chap. 328, Laws 1899. -
- 1580 amended, as to delinquent tax lists, chap. 77, Laws 1895.
- 1581 supplemented, as to publication of delinquent tax list, chap. 5, Laws 1899.
- 1591 supplemented, as to defective sales for local improvements, chap. 328, Laws 1899.
- 1601 amended, as to assessments in collection of taxes, chap. 108, Laws 1901.
- 1602 amended, as to redemption from tax sales, chap. 87, Laws 1895.
- 1605 amended, as to certificates of tax sale, chap. 208, Laws 1899.
- 1617 amended, as to forfeited tax sale, chap. 35, Laws 1899.
- 1623 supplemented, as to collection of taxes, chap. 190, Laws 1899.
- 1624 supplemented, as to auditor's certificate, chap. 285, Laws 1895.
- supplemented, as to plats in cities and villages of 10,000 or less, chap. 168, Laws 1899.
- amended, as to records of deeds in certain cases, chap. 377, Laws 1901.
- 1639 supplemented, as to debts of municipalities, chap. 251, Laws 1895.
- 1643 supplemented, as to taxation of certain lands, chap. 122, Laws 1897.
- 1643-1645 supplemented, as to railroad filing lists of land, chap. 34, Laws 1897.
- supplemented, as to taxes on sleeping and other cars, chap. 159, Laws 1897.
- supplemented, as to taxation of equipment companies, chap. 160, Laws 1897.
- 1645 supplemented, as to taxation of certain lands, chap. 122, Laws 1897.
- 1648 supplemented, as to taxation of certain lands, chap. 122, Laws 1897.
- 1666 amended, chap. 12, Laws 1895.
- 1667 supplemented, as to taxing railroad lands, chap. 168, Laws 1895.
- 1667-1681 supplemented, as to taxing railroad lands, chap. 168, Laws 1895.
- 1679 supplemented, chaps. 314 and 309, Laws 1897.
- 1682-1687 supplemented, chap. 314, Laws 1897.
- 1689-1691 repeal, as to tax on mining property, chap. 40, Laws 1897.
- 1692-1693 supplemented, as to municipal bonds, chap. 22, Laws 1897.
- 1698 amended, as to military code, chap. 231, Laws 1899.
- 1702 amended, as to the duties of adjutant general, chap. 68, Laws 1895.
- 1714 amended, as chap. 70-1, Laws 1895.
- 1714-1757 supplemented, as to national guards, chap. 197, Laws 1895.
- 1714-1774 amended, chap. 118, Laws 1897.
- supplemented, as to payment of arrears to national guard, chap. 243, Laws 1899.
- 1715 amended, as to national guards, chap. 70-2, Laws 1895.
- 1724 amended, as to national guards, chap. 70-3, Laws 1895.
- 1734 amended, as to national guards, chap. 70-4, Laws 1895.
- 1735 amended, as to national guards, chap. 70-5, Laws 1895.
- 1736 amended, as to national guards, chap. 70-6, Laws 1895.
- 1738 amended, as to national guards, chap. 70-7, Laws 1895.
- 1755 amended, as to national guards, chap. 70-8, Laws 1895.
- 1758-1762 amended, as to national guards, chap. 70-8, Laws 1895.
- 1775 supplemented, as to work on public highways, chap. 320, Laws 1897.
- 1775-1805 amended, chap. 46, Laws 1895.
- 1775-1914 supplemented, as to parks and highways, chap. 300, Laws 1895.
- supplemented, as to public roads, chap. 302, Laws 1895.
- amended, as to public roads, chap. 357, Laws 1897.
- 1775-1933 supplemented, as to construction of roads, chap. 227, Laws 1899.
- 1777 supplemented, as to destruction of weeds in cities of less than 50,000, chap. 107, Laws 1899.
- 1783 supplemented, as to certain wagons, chap. 342, Laws 1895.
- 1801 amended, as to delinquent road tax, chap. 219, Laws 1899.
- 1806-1843 supplemented, as to county roads, chap. 199, Laws 1897.
- 1806 supplemented, as to construction of roads, chap. 237, Laws 1899.
- 1828 amended, as to appeal from county commissioners, chap. 153, Laws 1899.

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- 1832 amended, as to roads and cartways, chap. 152, Laws 1899.
 supplemented, as to dedication of same, chap. 221, Laws 1899.
 amended, as to laying out of roads and cartways, chap. 242, Laws 1903.
- 1833 amended, as to temporary cartways, chap. 160, Laws 1899.
- 1834 amended, as to temporary cartways, chap. 160, Laws 1899.
- 1835 amended, as to temporary cartways, chap. 160, Laws 1899.
- 1836 amended, as to temporary cartways, chap. 160, Laws 1899.
- 1839 amended, as to county roads, chap. 202, Laws 1899.
- 1841 repealed, as to county roads, chap. 202, Laws 1899.
- 1842 repealed, as to county roads, chap. 202, Laws 1899.
- 1844 repealed, as to public highways, chap. 208, Laws 1897.
- 1844-1850 amended, chap. 150, Laws 1897.
- 1844-1856 supplemented, as to county roads, chap. 199, Laws 1897.
- 1845 supplemented, chap. 167, Laws 1895.
 amended, chap. 153, Laws 1897.
- 1846 amended, as to funds to be expended on county roads, chap. 48, Laws 1895.
 amended, as to county funds for roads and bridges, chap. 192, Laws 1899.
- 1846-1848 supplemented, as to bonding counties, chap. 297, Laws 1895.
 amended, as to bonding counties, chap. 150, Laws 1895.
- 1847 amended, as to road and bridge fund, chap. 211, Laws 1899.
- 1856 supplemented, as to district poorhouses, chap. 256, Laws 1899.
 supplemented, as to changing from county to district system of poor-
 houses, chap. 285, Laws 1899.
- 1863 supplemented, as to protection of bicycle paths, chap. 43, Laws 1899.
- 1857-1859 amended, as to roads, chap. 54, Laws 1895.
 supplemented, as to county roads, chap. 199, Laws 1897.
- 1860 amended, as to roads, chap. 54, Laws 1895.
 supplemented, as to county roads, chap. 199, Laws 1897.
- 1865 amended, as to highways, chap. 59, Laws 1895.
- 1878 supplemented, as to highways, chap. 208, Laws 1897.
- 1883 amended, as to laying out of judicial highways, chap. 213, Laws 1901.
- 1884 amended, as to laying out of judicial highways, chap. 213, Laws 1901.
- 1885 amended, as to laying out of judicial highways, chap. 213, Laws 1901.
- 1887 amended, as to highways, chap. 47, Laws 1895.
 amended, as to laying out of judicial highways, chap. 213, Laws 1901.
- 1888 amended, as to laying out of judicial highways, chap. 213, Laws 1901.
- 1915-1921 amended, as to bridge across Zumbro, chap. 113, Laws 1895.
- 1918 amended, as to erection of bridges over Minnesota river, chap. 243, Laws
 1901.
- 1934-1944 supplemented, as to traction engines, chap. 151, Laws 1895.
- 1954 supplemented, as to insane persons and paupers, chap. 291, Laws 1897.
- 1960 amended, as to county physicians, chap. 172, Laws 1899.
- 1962 amended, as to pay of county commissioners, chap. 211, Laws 1897.
 amended as to powers of compensation of county commissioners, chap.
 45, Laws 1901.
- 1978 supplemented, as to district poorhouses, chap. 256, Laws 1899.
- 1987-1989 supplemented, as to manner of bonding counties, chap. 297, Laws
 1895.
 amended, as to manner of bonding counties, chap. 150, Laws 1897.
- 1990 supplemented, as to use of money derived from liquor licenses, in coun-
 ties of 200,000 or more, chap. 96, Laws 1899.
- 1990-1993 supplemented, as to licenses, chap. 191, Laws 1895.
- 1993 supplemented, as to intoxicating liquors, chap. 259, Laws 1895.
- 1994 amended, as to intoxicating liquors, chap. 50, Laws 1895.
- 1999 amended, as to intoxicating liquors, chap. 90, Laws 1895.
 supplemented, as to use of tobacco, chap. 116, Laws 1897.
- 2008 amended, as to liquor in vicinity of state fair grounds, chap. 103, Laws
 1895.

Sec.

- 2009 amended, as to liquor in vicinity of state fair grounds, chap. 103, Laws 1895.
- 2024 amended, as to liquor licenses, chap. 154, Laws 1897.
- 2090-2112 supplemented, chap. 149, Laws 1895.
- 2107-2112 supplemented, chap. 149, Laws 1895.
- 2109 amended, as to storage and unclaimed baggage, chap. 80, Laws 1895.
- 2125 supplemented, as to disease among swine, chap. 47, Laws 1897.
- 2130 amended, as to use of pound nets in international water, chap. 176, Laws 1899.
- amended, as to protection of game and fish, chap. 242, Laws 1899.
- 2130-2194 supplemented, as to fish nets, chap. 206, Laws 1895.
- supplemented, as to game, chap. 207, Laws 1895.
- 2149 amended, as to game and fish, chap. 115-2, Laws 1895.
- 2151 amended, as to protection of game and fish, chap. 115, Laws 1895.
- 2152 amended, as to game and fish, chap. 115-2, Laws 1895.
- amended, as to game and fish, chap. 115-15, Laws 1895.
- 2153-2191 supplemented, as to game and fish, chap. 221, Laws 1897.
- 2154 amended, as to game and fish, chap. 115-3, Laws 1895.
- supplemented, as to fences and nuisances, chap. 336, Laws 1899.
- 2156 amended, as to game and fish, chap. 115-4, Laws 1895.
- 2158 amended, as to game and fish, chap. 115-4, Laws 1895.
- 2159 amended, as to game and fish, chap. 115-5, Laws 1895.
- 2161 amended, as to game and fish, chap. 115-6, Laws 1895.
- 2163 amended, as to game and fish, chap. 115-7, Laws 1895.
- 2164 amended, as to game and fish, chap. 115-8, Laws 1895.
- supplemented, as to taking of fish from lakes within city limits, chap. 169, Laws 1899.
- 2165 amended, as to game and fish, chap. 115-9, Laws 1895.
- 2176 amended, as to game and fish, chap. 115-16, Laws 1895.
- 2179 amended, as to game and fish, chap. 115-10, Laws 1895.
- 2180 amended, as to game and fish, chap. 115-11, Laws 1895.
- 2189 amended, as to game and fish, chap. 115-12, Laws 1895.
- 2190 amended, as to game and fish, chap. 115-16, Laws 1895.
- 2191 amended, as to game and fish, chap. 115-13, Laws 1895.
- 2192 amended, as to game and fish, chap. 115-14, Laws 1895.
- 2195-2207 supplemented, as to scales, chap. 338, Laws 1895.
- 2200-2201 amended, as to weights and measures, chap. 368, Laws 1903.
- 2203 amended, as to weights and measures, chap. 31, Laws 1897.
- 2207 amended, as to weights and measures, chap. 43, Laws 1895.
- 2212 amended, as to rate of interest, chap. 122, Laws 1899.
- 2222 amended, as to municipal bonds, chap. 129, Laws 1895.
- 2225 amended, as to mutilated bonds, chap. 71-1, Laws 1895.
- 2228 amended, as to mutilated bonds, chap. 71-2, Laws 1895.
- 2230 amended, chap. 51, Laws 1897.
- 2240 amended, as to regulation labor, chap. 49, Laws 1895.
- 2240-2264 supplemented, as to children, chap. 171, Laws 1895.
- 2245 supplemented, as to investigation of Sunday labor, chap. 148, Laws 1899.
- 2251 supplemented, as to bakeries, chap. 199, Laws 1895.
- amended, as to bakeries, chap. 278, Laws 1897.
- 2253 amended, as to protection of employees, chap. 123-1, Laws 1895.
- 2254 amended, as to protection of employees, chap. 123-2, Laws 1895.
- 2271 supplemented, chap. 335, Laws 1895.
- supplemented, chap. 346, Laws 1895.
- 2272 supplemented, as to fees for citizen certificates, chap. 19, Laws 1897.
- 2278-2281 amended, as to publication of supreme court decisions, chap. 22, Laws 1895.
- 2279 amended, as to publication of supreme court decisions, chap. 22, Laws 1895.
- amended, as to reports of supreme court decisions, chap. 23, Laws 1895.

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- 2279 amended, as to duties of reporter of supreme court, chap. 3, Laws 1901.
 2279-2290 supplemented, as to supreme court reports, chap. 202, Laws 1897.
 2280-2294 supplemented, as to supreme court reports, chap. 325, Laws 1895.
 2282 supplemented, as to publishing supreme court reports, chap. 78, Laws 1895.
 2283 supplemented, as to supreme court reports, chap. 311, Laws 1895.
 supplemented, as to supreme court reporter, chap. 270, Laws 1899.
 2284 supplemented, as to publishing supreme court reports, chap. 78, Laws 1897.
 2286 supplemented, as to publishing supreme court reports, chap. 78, Laws 1897.
 2295 amended, as to auctioneers, chap. 41, Laws 1895.
 2308 supplemented, as to dedication for roads and cartways, chap. 221, Laws 1899.
 2308-2329 supplemented, chap. 84, Laws 1897.
 2315-2317 amended, as to vacation of town plats, chap. 60, Laws 1903.
 2341 amended, as to limited partnerships, chap. 256, Laws 1903.
 2353-2384 supplemented, as to dams, chap. 161, Laws 1897.
 2392-2412 supplemented, chap. 286, Laws 1897.
 2400 supplemented, as to logs and scale bills, chap. 344, Laws 1895.
 2401 supplemented, as to logs and scale bills, chap. 344, Laws 1895.
 2419 amended, as to logs and lumber, chap. 35, Laws 1895.
 amended, as to stealing logs, chap. 36, Laws 1895.
 2419-2421 supplemented, as to scales, chap. 344, Laws 1895.
 amended, as to logs and lumber, chap. 35, Laws 1895.
 amended, as to stealing logs, chap. 36, Laws 1895.
 2424 supplemented, chap. 336, Laws 1897.
 2424-2471 supplemented, chap. 173, Laws 1897.
 supplemented, chap. 286, Laws 1897.
 2451 amended, chap. 347, Laws 1897.
 supplemented, as to labor liens on timber, chap. 342, Laws 1899.
 2464 amended, chap. 347, Laws 1897.
 2465 amended, chap. 347, Laws 1897.
 2474-2480 supplemented, as to dams, chap. 161, Laws 1897.
 2490 supplemented, as to legalizing acts of banks, chap. 58, Laws 1899; also
 as to banks of discount and deposit, chap. 142, Laws 1899.
 2490-2532 supplemented, chap. 145, Laws 1895.
 amended, as to bank of discount, chap. 156, Laws 1897.
 amended, as to banks of discount, chap. 228, Laws 1897.
 2491 supplemented, as to banking and trust companies, chap. 146, Laws 1895.
 2498-2512 supplemented, chap. 89, Laws 1897.
 2531 supplemented, chap. 229, Laws 1897.
 2536 supplement, chap. 331, Laws 1895.
 supplemented, as to legalizing acts of banks, chap. 58, Laws 1899.
 2537 amended, chap. 204, Laws 1897.
 2539 supplemented, as to banking and trust companies, chap. 146, Laws 1895.
 2562 amended, chap. 145, Laws 1897.
 amended, as to investments of savings banks, chap. 297, Laws 1901.
 amended, as to investments of funds of savings banks, chap. 108, Laws 1903.
 2564 amended, chap. 74, Laws 1897.
 2592 supplemented, as to licensing of electricians, chap. 312, Laws 1899.
 2592-2793 supplemented, as to bridge companies, chap. 247, Laws 1899.
 2594 amended, as to publication of articles of incorporation, chap. 99, Laws 1901.
 2595 supplemented, as to corporations, chap. 330, Laws 1895.
 2596 supplemented, as to corporations, chap. 337, Laws 1895.
 2600 supplemented, as to liability of stockholders of corporations, chap. 272, Laws 1899.
 2601 supplemented, as to liability of stockholders of corporations, chap. 272, Laws 1899.
 2604 amended, as to right of way of corporations, chap. 51, Laws 1899.

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- 2604-2616 supplemented, as to condemnation, chap. 246, Laws 1895.
amended, as to right of eminent domain by corporations, chap. 360,
Laws 1901.
- 2605 supplemented, as to right of way of street railways outside of cities,
chap. 350, Laws 1899.
- 2619 amended, as to corporations, chap. 19, Laws 1895.
- 2633 supplemented, as to logs, etc., chap. 173, Laws 1897.
supplemented, as to logs, etc., chap. 286, Laws 1897.
- 2637 supplemented, as to telegraph and messenger companies, not to send
minors to places of ill-repute, chap. 313, Laws 1899.
- 2641a supplemented, as to express companies, chap. 152, Laws 1895.
- 2642 supplemented, as to right of way of street railways outside of cities,
chap. 350, Laws 1899.
- 2642-2766 supplemented, as to free transportation to shippers of stock, chap.
170, Laws 1899.
- 2654 amended, as to condemnation, chap. 42, Laws 1895.
- 2662 amended, as to recovery of land, etc., chap. 52, Laws 1895.
- 2667 amended, as to condemnation, chap. 60, Laws 1895.
supplemented, chap. 165, Laws 1895.
supplemented, chap. 166, Laws 1895.
- 2695 amended, chap. 346, Laws 1895.
- 2702-2704 amended, as to common carriers, chap. 94, Laws 1897.
- 2710-2712 supplemented, chap. 150, Laws 1895.
- 2714 amended, as to consolidation of railroads, chap. 229, Laws 1899.
- 2723 amended, relating to deeds of trust by corporations, chap. 22, Laws 1902.
- 2728 supplemented, as to gauge of railroad tracks, chap. 78, Laws 1899.
- 2749 supplemented, as to teachers' certificates, chap. 101, Laws 1899.
amended, as to branch railroads and corporations therefor, chap. 225,
Laws 1901.
amended, as to corporations, chap. 347, Laws 1901.
- 2751 supplemented, chap. 332, Laws 1895.
- 2752 supplemented, chap. 332, Laws 1895.
- 2753 supplemented, chap. 332, Laws 1895.
- 2794 supplemented, as to corporations, chap. 191, Laws 1897.
amended, chap. 245, Laws 1897.
supplemented, as to stray logs, etc., chap. 173, Laws 1897.
supplemented, as to stray logs, etc., chap. 286, Laws 1897.
supplemented, as to creameries, chap. 354, Laws 1897.
supplemented, as to extension of term of corporations, chap. 252, Laws
1899.
- 2794-2804 supplemented, chap. 159, Laws 1895.
- 2794-2854 supplemented, chap. 215, Laws 1897.
- 2794-2912 supplemented, chap. 178, Laws 1895.
- 2802 supplemented, as to corporations, chap. 337, Laws 1895.
- 2805 supplemented, as to creameries, chap. 351, Laws 1897.
- 2806 amended, equal rights of citizens in Minnesota, chap. 249, Laws 1897.
- 2832 amended, as to corporation for mining, etc., chap. 196, Laws 1897.
- 2841-2854 supplemented, chap. 222, Laws 1895.
amended, chap. 204, Laws 1897.
- 2842 supplemented, as to naming certain corporation, chap. 146, Laws 1895.
- 2844 supplemented, chap. 229, Laws 1897.
- 2846 amended, as to annuity, safe deposit and trust companies, chap. 200,
Laws 1899.
- 2855-2902 supplemented, chap. 147, Laws 1895.
- 2855-2912 supplemented, as to corporation, chap. 215, Laws 1897.
- 2855 supplemented, as to corporations, chap. 191, Laws 1897.
amended, chap. 245, Laws 1897.
- 2863 amended, chap. 267, Laws 1897.

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- 2874 amended, as to building, loan and saving associations, chap. 250, Laws 1897.
- 2881 amended, as to building, loan and saving associations, chap. 108-1, Laws 1895.
amended, as to building, loan and saving associations, chap. 287, Laws 1897.
- 2889 amended, as to building, loan and saving associations, chap. 108-2, Laws 1895.
- 2903 supplemented, as to creameries, chap. 351, Laws 1897.
- 2910 amended, as to co-operative association, chap. 217, Laws 1899.
- 2913 supplemented, chap. 158, Laws 1895.
supplemented, as to educational institutions, chap. 180, Laws 1895.
- 2913-2928 supplemented, chap. 55, Laws 1897.
- 2913-2931 supplemented, chap. 2, Laws 1897.
- 2913-3390 supplemented, chap. 59, Laws 1897.
supplemented, as to creameries, chap. 209, Laws 1897.
- 2917 amended, chap. 333, Laws 1895.
- 2921 amended, as to dividends of corporations, chap. 87, Laws 1901.
- 2922 amended, roads not to be opened through lands of corporations not for pecuniary profit, chap. 294, Laws 1899.
- 2929 supplemented, as to care of orphans by orphan asylum, chap. 329, Laws 1899.
- 2932-2933 supplemented, chap. 143, Laws 1897.
- 2932-2951 supplemented, chap. 2, Laws 1897.
- 2933 amended, as to orphan asylums, chap. 64, Laws 1899.
- 2937 amended, as to orphan asylums, chap. 64, Laws 1899.
amended, as to orphan asylums, chap. 64, Laws 1899.
- 2938 amended, as to orphan asylums, chap. 64, Laws 1899.
- 2947 supplemented, as to disorderly conduct, chap. 108, Laws 1897.
- 2952 amended, as to state agricultural society, chap. 304, Laws 1899.
- 2952-2974 supplemented, as to claims of Twin City Jockey Club for improvements on state fair grounds, chap. 348, Laws 1899.
- 2952-2969 repealed, as to state fair, chap. 126, Laws 1903.
- 2954-2955 amended, chap. 225, Laws 1897.
- 2974 amended, as to county fairs, chap. 86, Laws 1897.
- 2985-3021 supplemented, chap. 110, Laws 1897.
- 2990 amended, as to corporations, chap. 180, Laws 1899.
- 2990-2993 amended, as to corporations, chap. 20, Laws 1895.
- 2991 amended, as to corporations, chap. 180, Laws 1899.
- 2994-2995-2996-2997 amended, as to incorporation of Masonic bodies, chap. 17, Laws 1903.
- 3016-3021 supplemented, chap. 2, Laws 1897.
- 3020 supplemented, as to trustees of religious societies, chap. 109, Laws 1899.
- 3022-3044 supplemented, chap. 2, Laws 1897.
- 3022-3085 supplemented, as to church societies, chap. 325, Laws 1897.
- 3025 amended, as to religious societies, chap. 73, Laws 1899.
- 3038 supplemented, chap. 334, Laws 1897.
- 3045-3048 supplemented, chap. 2, Laws 1897.
- 3049-3054 supplemented, chap. 2, Laws 1897.
- 3052 supplemented, as to replevin, chap. 33, Laws 1897.
- 3055-3061 supplemented, chap. 2, Laws 1897.
- 3062-3069 supplemented, chap. 2, Laws 1897.
- 3070-3075 supplemented, as to Y. M. C. A., chap. 334, Laws 1895.
- 3070-3085 supplemented, chap. 2, Laws 1897.
- 3071 amended, as to incorporation of Y. M. C. A., chap. 89, Laws 1903.
- 3086 supplemented, as to villages, chap. 265, Laws 1895.
- 3086-3135 amended, as to cemetery associations, chap. 24, Laws 1897.
supplemented, as to cemetery corporations, chap. 48, Laws 1897.
- 3088 amended, chap. 38, Laws 1895.

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- 3089 supplemented, as to cremations, chap. 132, Laws 1897.
 3093 supplemented, as to cremations, chap. 132, Laws 1897.
 3095 supplemented, as to cremations, chap. 132, Laws 1897.
 3096 supplemented, as to cemetery associations, chap. 336, Laws 1895.
 amended, as to power of cemetery associations to hold land, chap. 220,
 Laws 1901.
 3107 amended, chap. 198, Laws 1897.
 3108 amended, as to cemeteries, lots, chap. 39, Laws 1895.
 3109 amended, as to cemeteries, chap. 339, Laws 1897.
 3135 amended, as to cemeteries, chap. 36, Laws 1901.
 3136-3322 supplemented, as to insurance laws, chap. 175, Laws 1895.
 amended, creamery fire insurance company, chap. 58, Laws 1897.
 amended, as to title insurance company, chap. 62, Laws 1897.
 3136-3326 amended, as to insurance company, against theft, etc., chap. 63,
 Laws 1897.
 amended, as to insurance laws, chap. 254, Laws 1897.
 amended, as to creamery fire insurance company, chap. 258, Laws 1897.
 3136-3360 supplemented, as to insurance laws, chap. 175, Laws 1895.
 3146 amended, as to mutual insurance companies, chap. 198, Laws 1899.
 amended, as to bicycle insurance companies, chap. 234, Laws 1899.
 amended, as to codifying insurance laws, chap. 334, Laws 1899.
 3193 amended, as to insurance companies, chap. 81, Laws 1901.
 3195-3230 supplemented, chap. 178, Laws 1895.
 3203 amended, as to validity of insurance policies when note given for pre-
 mium, chap. 10, Laws 1902.
 3220 amended, by chap. 73, Laws 1895.
 3231 supplemented, as to town insurance companies, chap. 176, Laws 1895.
 3231-3250 supplemented and amended, as to town insurance companies, chap.
 164, Laws 1897.
 3235 amended, as to town insurance companies, chap. 172, Laws 1901.
 3237 supplemented, chap. 283, Laws 1897.
 3237-3238-3243 amended, as to regulation of township mutual insurance com-
 panies, chap. 110, Laws 1903.
 3239 supplemented, as to town insurance companies, chap. 177, Laws 1895.
 3243 amended, as to town insurance companies, chap. 58, Laws 1895.
 amended, as to town insurance companies, chap. 172, Laws 1901.
 3278 amended, as to farmers' mutual fire insurance companies, chap. 112,
 Laws 1895.
 3281-3293 supplemented, as to insurance laws, chap. 175, Laws 1895.
 3281-3316 supplemented, as to foreign insurance companies, chap. 95, Laws
 1897.
 3294 amended, as to fraternal insurance companies, chap. 120, Laws 1899.
 3296-3316 supplemented, chap. 179, Laws 1895.
 amended, as to insurance associations, chap. 281, Laws 1901.
 3297 amended, as to insurance associations, chap. 281, Laws 1901.
 3314 amended, as to co-operative life insurance companies, chap. 113, Laws
 1899.
 amended, as to co-operative life and casualty companies, chap. 344, Laws
 1899.
 3326-3330 supplemented, as to insurance laws, chap. 175, Laws 1895.
 3331-3360 supplemented, as to certain insurance companies, chap. 207, Laws
 1897.
 3350 amended, as to hail and cyclone insurance, chap. 357, Laws 1899.
 3352 amended, as to hail and cyclone insurance, chap. 357, Laws 1899.
 3353 amended, as to hail and cyclone insurance, chap. 357, Laws 1899.
 3360 amended, as to hail and cyclone insurance, chap. 357, Laws 1899.
 3391-3429 supplemented, chap. 165, Laws 1897.
 amended, as to payment of fees into state treasury by corporations,
 chap. 206, Laws 1901.

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- 3393 amended, as to incorporations of corporations, chap. 245, Laws 1901.
- 3400 supplemented, chap. 337, Laws 1895.
amended, as to corporations, chap. 12, Laws 1897.
repealed, chap. 207, Laws 1901.
- 3401-3406 supplemented, chap. 330, Laws 1895.
- 3420 supplemented, foreign corporations to have office and agent in this state, chaps. 69-70, Laws 1899.
- 3425 supplemented, foreign corporation to have office in this state, chap. 69, Laws 1899.
- 3431 amended, as to corporations, chap. 21, Laws 1895.
- 3437-3446 supplemented, as to defectives, chap. 361, Laws 1895.
- 3447 supplemented, as to insane hospital, chap. 157, Laws 1895.
supplemented, as to asylums at Anoka and Hastings, chap. 230, Laws 1899.
- 3450 supplemented, as to insane hospital, chap. 373, Laws 1895.
- 3457 amended, as to hospitals for insane, chap. 119-1, Laws 1895.
- 3461 amended, as to hospitals for insane, chap. 119-2, Laws 1895.
supplemented, as to insane, paupers, etc., chap. 291, Laws 1897.
- 3463 amended, as to hospital for insane, chap. 119-3, Laws 1895.
- 3465 supplemented, as to hospital for insane, chap. 212, Laws 1897.
amended, chap. 311, Laws 1897.
amended, as to care for insane, chap. 119-4, Laws 1895.
supplemented, as to care of property of insane persons, chap. 44, Laws 1899.
- 3467 amended, as to hospital for insane, chap. 119-5, Laws 1895.
- 3469 amended, as to hospital for insane, chap. 119-6, Laws 1895.
- 3483 amended, as to court commissioners, chap. 311, Laws 1897.
- 3491 amended, as to discharge of insane from hospital, chap. 25, Laws 1899.
- 3499 amended, as to hospital for insane, chap. 119-7-8, Laws 1895.
- 3509 amended, as to public schools, chap. 111, Laws 1895.
supplemented, as to dependent children, chap. 160, Laws 1895.
- 3512 supplemented, as to dependent children, chap. 160, Laws 1895.
- 3514 supplemented, as to dependent children, chap. 160, Laws 1895.
- 3517 supplemented, chap. 188, Laws 1895.
supplemented, as to general appropriation act, chap. 155, Laws 1897.
- 3521 supplemented and amended, as to reform schools, chap. 153-2, Laws 1895.
amended, as to state reform schools, chap. 156, Laws 1899.
- 3521-3530 supplemented and amended, as to school for boys and girls, chap. 153-1, Laws 1895.
- 3521-3580 supplemented and amended, as to reform schools, chap. 153, Laws 1895.
- 3522 supplemented and amended, as to reform schools, chap. 153-3, Laws 1895.
- 3523 supplemented and amended, as to reform schools, chap. 153-5, Laws 1895.
- 3524 supplemented and amended, as to reform school, chap. 153-4, Laws 1895.
- 3525 supplemented and amended, as to reform schools, chap. 153-6, Laws 1895.
- 3526 supplemented and amended, as to reform schools, chap. 153-10, Laws 1895.
- 3527 supplemented and amended, as to reform schools, chap. 153-7, Laws 1895.
- 3528 supplemented and amended, as to reform schools, chap. 153-9, Laws 1895.
- 3529 supplemented and amended, as to reform schools, chap. 153-8, Laws 1895.
supplemented and amended, as to reform schools, chap. 153-14, Laws 1895.
- 3530 supplemented and amended, as to reform schools, chap. 153-15, Laws 1895.
- 3531 supplemented and amended, as to reform schools, chap. 153-16, Laws 1895.
- 3555 supplemented, as to reform school funds, chap. 281, Laws 1899.
- 3566 supplemented, as to reform school funds, chap. 281, Laws 1899.
- 3571 supplemented, as to reform school funds, chap. 281, Laws 1899.

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- 3576 supplemented, as to reform school funds, chap. 281, Laws 1899.
 3577 supplemented, as to reform school funds, chap. 281, Laws 1899.
 3581-3603 supplemented, chap. 355, Laws 1895.
 3585 supplemented, as to state reformatory, chap. 114, Laws 1899.
 3586 amended, chap. 310, Laws 1897.
 3587 amended, chap. 92, Laws 1895.
 amended, as to reformatory, clerk's salary, chap. 93, Laws 1895.
 3594 supplemented, as to state reformatory, chap. 114, Laws 1899.
 3596 amended, as to record of behavior in state reformatory, chap. 130, Laws 1899.
 3598 amended, as to state reformatory, chap. 94, Laws 1895.
 3606 amended, as to soldiers' and sailors' home, chap. 166, Laws 1899.
 2613 supplemented, chap. 354, Laws 1895.
 3626 supplemented, as to soldiers' home, chap. 396, Laws 1895.
 amended, as to soldiers' home, chap. 263, Laws 1897.
 amended, as to soldiers' home, chap. 164, Laws 1899.
 3628 amended, as to disbursements of soldiers' relief fund, chap. 326, Laws 1901.
 3631 repealed, chap. 386, Laws 1895.
 3632 repealed, chap. 386, Laws 1895.
 3648 supplemented, as to schools, chap. 205, Laws 1897.
 3648-3832 supplemented, as to schools, chap. 259, Laws 1897.
 3648-3676 supplemented, as to school districts in cities of less than 10,000, chap. 155, Laws 1899.
 supplemented, as to school districts in cities of more than 50,000, chap. 179, Laws 1899.
 supplemented, as to vacancies in school boards, chap. 193, Laws 1899.
 supplemented, as to truant officers in cities, chap. 226, Laws 1899.
 3648-3677 supplemented, as to school districts on Indian reservation, chap. 205, Laws 1899.
 3648-3832 amended, as to rural schools, chap. 54, Laws 1899.
 amended, as to bonds for schoolhouses in cities of less than 10,000, chap. 237, Laws 1899.
 supplemented, as to lands of wards for schoolhouses, chap. 210, Laws 1899.
 supplemented, as to high, graded and rural schools, chap. 352, Laws 1899.
 3663 supplemented, as to illegal voting at school meetings, chap. 98, Laws 1899.
 3667 supplemented, as to illegal voting at school meetings, chap. 98, Laws 1899.
 3668 amended, as to organization of new school districts, chap. 20, Laws 1901.
 3669 amended, as to the organization of school districts, chap. 125, Laws 1901.
 3672 amended, as to district schools, chap. 110, Laws 1895.
 3673 supplemented, as to change of territory at school district, chap. 293, Laws 1899.
 amended, as to change of school district boundaries, chap. 100, Laws 1903.
 3674 amended, as to public schools, chap. 251, Laws 1897.
 amended, by chap. 251, Laws 1897.
 amended, as to public schools, chap. 371, Laws 1901.
 3675 amended, as to education, chap. 252, Laws 1897.
 supplemented, as to change of territory of school districts, chap. 293, Laws 1899.
 3677 amended, as to rural schools, chap. 54, Laws 1899.
 supplemented, as to school districts of over 50,000, chap. 77, Laws 1899.
 supplemented, as to illegal voting at school meetings, chap. 98, Laws 1899.
 supplemented, as to truant officers in cities, chap. 226, Laws 1899.

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- 3677-3717 supplemented, as to bonds for school houses in cities of less than 10,000, chap. 155, Laws 1899.
- 3677-3717 supplemented, as to tax levy in special school districts in cities of more than 50,000, chap. 179, Laws 1899.
- supplemented, as to vacancies in school boards, chap. 193, Laws 1899.
- supplemented, as to school districts on Indian reservations, chap. 205, Laws 1899.
- 3678 amended, as to school meetings, chap. 75, Laws 1895.
- supplemented, as to school board, chap. 189, Laws 1895.
- amended, as to school meetings, chap. 195, Laws 1897.
- amended, as to school meetings, chap. 15, Laws 1899.
- amended, as to school meetings, chap. 38, Laws 1903.
- amended, as to school meetings in common school districts by chap. 385, Laws 1903.
- 3681 amended, as to bonds for schoolhouses in cities of less than 10,000, chap. 237, Laws 1899.
- 3688 supplemented, as to schools, chap. 187, Laws 1895.
- 3688-3692 supplemented, as to school bonds in cities, chap. 9, Laws 1899.
- supplemented as to public improvements, chap. 128, Laws 1899.
- 3689 supplemented, as to schools, chap. 187, Laws 1895.
- 3694 supplemented, as to pedagogy, chap. 181, Laws 1895.
- 3701 amended, as to reports of school treasurers, chap. 198, Laws 1897.
- 3711 amended, as to school orders and duties of clerk, chap. 350, Laws 1901.
- 3716 amended, as to public school libraries, chap. 85, Laws 1895.
- amended, as to public school libraries, chap. 86, Laws 1895.
- 3720 repealed, as to salary of state superintendent of schools, chap. 252, Laws 1903.
- 3726 supplemented, general appropriation act, chap. 155, Laws 1897.
- 3737 supplemented, general appropriation act, chap. 155, Laws 1897.
- 3742 amended by chap. 65, Laws 1895.
- 3743 amended by chap. 17, Laws 1895.
- supplemented, as to visits of superintendents of schools, chap. 239, Laws 1899.
- 3744 supplemented by chap. 182, Laws 1895.
- 3747 supplemented, as to pedagogy, chap. 181, Laws 1895.
- amended, as to teachers' university certificate, chap. 20, Laws 1899.
- 3748 supplemented, as to pedagogy, chap. 181, Laws 1895.
- 3749 amended, as to teachers' certificates, chap. 367, Laws 1901.
- 3763 amended, as to public schools, chap. 49, Laws 1897.
- amended, as to rural schools, chap. 54, Laws 1899.
- 3768 amended, as to taxation, educational purposes, chap. 75, Laws 1897.
- 3769 supplemented by chap. 83, Laws 1897.
- amended, as to rural schools, chap. 54, Laws 1899.
- 3772 supplemented by chap. 66, Laws 1897.
- supplemented by chap. 83, Laws 1897.
- 3774 supplemented by chap. 66, Laws 1897.
- 3790 amended, as to independent school districts, chap. 18, Laws 1895.
- amended, as to independent school districts, chap. 300, Laws 1897.
- supplemented, as to truant officers, chap. 226, Laws 1899.
- 3791 supplemented, as to school districts, chap. 53, Laws 1897.
- 3792 supplemented, as to bonds for schoolhouses, chap. 103, Laws 1899.
- 3794 supplemented, as to bonds for schoolhouses, chap. 103, Laws 1899.
- 3795 supplemented, as to annual school meeting, chap. 305, Laws 1897.
- 3796 supplemented, as to school boards, chap. 189, Laws 1895.
- supplemented by chap. 97, Laws 1897.
- amended, as to school boards, chap. 174, Laws 1897.
- 3804 supplemented by chap. 97, Laws 1897.
- 3808 supplemented, as to bonds for schoolhouses, chap. 187, Laws 1895.

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- 3808 supplemented, as to bonds by contractors on public works, chap. 354, Laws 1895.
 supplemented, as to annual school meeting, chap. 305, Laws 1897.
 amended, as to bonds by contractors, chap. 307, Laws 1897.
 amended by chap. 359, Laws 1897.
 supplemented, as to bonds for schoolhouses, chap. 103, Laws 1899.
 amended, as to maintenance of night schools, chap. 357, Laws 1903.
- 3810 supplemented, as to department of pedagogy, chap. 181, Laws 1895.
 supplemented, as to teachers, chap. 182, Laws 1895.
 supplemented, as to school examiners, chap. 354, Laws 1899.
- 3813 amended, as to school districts, chap. 69, Laws 1897.
- 3815-3816 amended by chap. 359, Laws 1897.
- 3816 supplemented, as to school districts, chap. 187, Laws 1895.
 supplemented, as to bonds for schoolhouses, chap. 103, Laws 1899.
- 3833 supplemented, as to state normal, chap. 184, Laws 1895.
- 3839 supplemented by chap. 185, Laws 1895.
- 3844 amended, as to model school, chap. 358, Laws 1899.
- 3852 supplemented, general appropriation act, chap. 155, Laws 1897.
- 3854 supplemented, general appropriation act, chap. 155, Laws 1897.
- 3862 supplemented, general appropriation act, chap. 155, Laws 1897.
- 3864 supplemented, general appropriation act, chap. 155, Laws 1897.
- 3865-3876 supplemented, as to schools, chap. 183, Laws 1895.
 supplemented, as to normal instruction, chap. 186, Laws 1895.
 amended, as to normal instruction, chap. 192, Laws 1897.
 supplemented by chap. 276, Laws 1897.
- 3865 supplemented, as to high, graded and rural schools, chap. 352, Laws 1899.
- 3868 supplemented, general appropriation act, chap. 155, Laws 1897.
- 3875 supplemented, as to general appropriation act, chap. 155, Laws 1897.
- 3876 supplemented, as to general appropriation act, chap. 155, Laws 1897.
- 3877 amended by chap. 120-1, Laws 1895.
- 3880 amended by chap. 120-3, Laws 1895.
- 3885 amended by chap. 120-2, Laws 1895.
- 3889-3901 supplemented, as to truant officers, chap. 226, Laws 1899.
- 3902 supplemented, as to free tuition to university students who enlisted in the Spanish war, chap. 345, Laws 1899.
- 3903 supplemented, as to department of pedagogy, chap. 181, Laws 1895.
- 3904 amended, as to the university, chap. 15, Laws 1895.
- 3907 supplemented, as to children, chap. 289, Laws 1897.
- 3912 amended, as to the university, chap. 102, Laws 1897.
- 3914 supplemented by chap. 161, Laws 1895.
 supplemented, as to state experiment station, chap. 162, Laws 1895.
- 3915 supplemented by chap. 161, Laws 1895.
 supplemented by chap. 162, Laws 1895.
- 3923 amended, as to the university, chap. 16, Laws 1895.
- 3925 supplemented, as to general expenses of state government, chap. 155, Laws 1897.
- 3927 supplemented, as to general appropriation act, chap. 155, Laws 1897.
- 3933 supplemented, as to general appropriation act, chap. 155, Laws 1897.
- 3939-3944 repealed by chap. 387, Laws 1895.
- 3955 supplemented, as to general appropriation act, chap. 155, Laws 1897.
- 3958-4046 supplemented by chap. 371, Laws 1895.
- 3965-4018 amended, as to state lands, chap. 302, Laws 1897.
- 3965-4019 supplemented by chap. 163, Laws 1895.
 supplemented, as to state lands, chap. 163, Laws 1895.
- 3967 supplemented and repealed by chap. 163-43, Laws 1895.
- 3968 supplemented and repealed by chap. 163-43, Laws 1895.
- 3971 supplemented, repeal of certain sections, chap. 163-43, Laws 1895.
- 3975 supplemented and repealed by chap. 163-43, Laws 1895.
- 3976 supplemented and repealed by chap. 163-43, Laws 1895.

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- 3992 supplemented and repealed by chap. 163-43, Laws 1895.
- 3995 supplemented by chap. 313, Laws 1897.
- 4002 supplemented and repealed by chap. 163-43, Laws 1895.
- 4003 supplemented and repealed by chap. 163-43, Laws 1895.
- 4005 supplemented and repealed by chap. 163-45, Laws 1895.
- 4006 supplemented by chap. 377, Laws 1895.
- 4007 supplemented by chap. 377, Laws 1895.
- 4012 supplemented and repealed by chap. 163-43, Laws 1895.
- 4013 supplemented and repealed by chap. 163, Laws 1895.
- 4014 supplemented and repealed by chap. 163, Laws 1895.
- 4015 supplemented and repealed by chap. 163, Laws 1895.
- 4016 supplemented and repealed by chap. 163, Laws 1895.
- 4017 supplemented and repealed by chap. 163, Laws 1895.
- 4018 supplemented and repealed by chap. 163, Laws 1895.
- 4019 supplemented and repealed by chap. 163, Laws 1895.
- 4039-4046 supplemented and repealed by chap. 394, Laws 1895.
- 4047 supplemented as to Itasca state park, chap. 303, Laws 1899.
- 4047-4055 amended by chap. 106, Laws 1895.
- 4047-4058 supplemented by chap. 169, Laws 1895.
- 4052-4055 supplemented by chap. 206, Laws 1897.
- 4076-4084 amended by chap. 105, Laws 1895.
- amended by chap. 312, Laws 1897.
- amended by chap. 315, Laws 1897.
- 4079 amended by chap. 315, Laws 1897.
- 4092-4126 supplemented by chap. 269, Laws 1895.
- 4105 amended by chap. 57, Laws 1895.
- 4107 amended by chap. 56, Laws 1895.
- supplemented by chap. 269, Laws 1895.
- 4129-4147 supplemented by chap. 215, Laws 1895.
- supplemented by chap. 292, Laws 1897.
- 4129-4157 amended, as to chattel mortgages, chap. 18, Laws 1899.
- 4132 amended, as to filing chattel mortgages, chap. 102, Laws 1895.
- 4148-4153 supplemented by chap. 292, Laws 1897.
- 4154-4159 supplemented, as to lien on grain for threshing, chap. 200, Laws 1897.
- supplemented by chap. 292, Laws 1897.
- 4155-4159 supplemented, as to seed grain loans, chap. 29, Laws 1897.
- 4161 supplemented by chap. 330, Laws 1895.
- 4161-4162 supplemented by chap. 238, Laws 1897.
- 4165 supplemented, as to title by prescription to public grounds, chap. 65, Laws 1899.
- 4166 supplemented by chap. 238, Laws 1897.
- 4169 amended by chap. 141, Laws 1897.
- 4185 amended, as to definition of word conveyance, chap. 37, Laws 1901.
- 4186 supplemented by chap. 189, Laws 1897.
- 4190 supplemented, as to validating deeds without seal, chap. 3, Laws 1899.
- supplemented, use of seals abolished, chap. 86, Laws 1899.
- 4196 amended, as to discharge of mortgages, chap. 182, Laws 1899.
- amended, as to discharge of mortgages, chap. 342, Laws 1903.
- 4209 supplemented, use of seals abolished, chap. 86, Laws 1899.
- supplemented, as to fraudulent sale, chap. 291, Laws 1899.
- supplemented, as to assignment of debt, chap. 268, Laws 1899.
- 4210 supplemented, use of seals abolished, chap. 86, Laws 1899.
- supplemented, as to fraudulent sale, chap. 291, Laws 1899.
- 4215 supplemented, as to parties in land actions, chap. 13, Laws 1899.
- 4219 supplemented by chap. 292, Laws 1897.
- 4227 amended by chap. 66-6, Laws 1895.
- 4231 amended by chap. 204, Laws 1897.
- 4240 amended by chap. 66, Laws 1895.

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- 4240-4241 supplemented, as to insolvent estates, chap. 82, Laws 1897.
supplemented, as to liability of stockholders, chap. 341, Laws 1897.
- 4240-4254 amended by chap. 67, Laws 1895.
repealed, as to insolvency, chap. 264, Laws 1897.
- 4242 amended by chap. 66-3, Laws 1895.
- 4245 amended by chap. 66-2, Laws 1895.
- 4249 amended by chap. 66-4, Laws 1895.
- 4250 amended by chap. 66-5, Laws 1895.
amended by chap. 188, Laws 1897.
- 4253 amended by chap. 66-6, Laws 1897.
- 4255 supplemented by chap. 303, Laws 1895.
- 4259 supplemented, as to title by prescription to public grounds, chap. 65, Laws 1899.
- 4284 amended, as to uses and trusts, chap. 80, Laws 1897.
amended, as to express trusts, chap. 95, Laws 1901.
subds. 6, amended, to express trusts, chap. 132, Laws 1903.
- 4412 amended, as to duties of probate judge, chap. 181, Laws 1899.
as amended by chap. 181, Laws 1899, amended as to probate code, chap. 331, Laws 1901.
- 4416 amended by chap. 100, Laws 1895.
supplemented, as to salary of probate judge in counties of 28,000, chap. 47, Laws 1899.
amended, as to salaries of probate judges and clerks, chap. 145, Laws 1899.
- 4417 amended, as to salaries of probate judges and clerks, chap. 145, Laws 1899.
- 4418 amended, as to clerk hire in probate courts, chap. 188, Laws 1899.
amended by chap. 188, Laws of 1899, amended as to clerk hire for probate judges, chap. 260, Laws 1901.
amended by chap. 71, Laws 1902, as to salaries of clerks of probate court.
- 4426 amended, as to execution of wills, chap. 338, Laws 1899.
- 4458 amended by chap. 204, Laws 1897.
- 4469 supplemented by chap. 157, Laws 1897.
- 4471 supplemented by chap. 221, Laws 1895.
supplemented by chap. 157, Laws 1897.
amended, as to refusal of spouse to accept provisions of will, chap. 240, Laws 1897.
- 4472 amended, as to refusal of spouse to accept provisions of will, chap. 240, Laws 1897.
- 4477 amended, as to administration of estates, chap. 149, Laws 1899.
amended, as to inheritances, chap. 174, Laws 1899.
- 4478 amended by chap. 98, Laws 1895.
amended, as to administration of estates, chap. 149, Laws 1899.
- 4482 supplemented by chap. 222, Laws 1895.
amended, as to bonds of administrators and neglect to qualify, chap. 59, Laws 1901.
- 4509 amended, as to probate code, chap. 82, Laws 1899.
- 4510 amended, as to notice to creditors, chap. 28, Laws 1901.
- 4511 amended by chap. 97, Laws 1895.
supplemented as to accounts of administrators, chap. 223, Laws 1895.
- 4534-4574 supplemented, as to leasing of mineral lands under guardianship, chap. 144, Laws 1899.
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supplemented, as to sale of lands to school districts by guardians, chap. 210, Laws 1899.
- 4544 supplemented by chap. 222, Laws 1895.
- 4589 amended by chap. 99, Laws 1895.
- 4664 amended by chap. 231, Laws 1897.

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- 4575 supplemented, sale of lands by license of probate court validated, chap. 67, Laws 1899.
 supplemented, as to sale of lands to school districts by guardians, chap. 210, Laws 1899.
 amended, as to sales of real estate by executors and administrators, chap. 89, Laws 1901.
- 4576 amended, as to sales of real estate by executors, chap. 89, Laws 1901.
- 4578 amended, as to sales of real estate by executors and administrators, chap. 89, Laws 1901.
- 4579 amended, as to sales of real estate by executors and administrators, chap. 89, Laws 1901.
- 4590 amended, as to right of way over land of ward, chap. 196, Laws 1899.
- 4591 amended, as to right of way over land of ward, chap. 196, Laws 1899.
- 4632 supplemented, as to accounts of executors and administrators, chap. 265, Laws 1899.
- 4639 amended, as to settlements of estates, chap. 343, Laws 1899.
- 4642 amended, as to decree of distribution in probate court, chap. 284, Laws 1901.
- 4665 amended, as to appeals from probate court, chap. 27, Laws 1899.
- 4676 amended, as to appeals from probate court, chap. 135, Laws 1901.
- 4691 supplemented, as to commitment of insane, chap. 16, Laws 1899.
- 4693 amended, as to powers of court commissioners, chap. 311, Laws 1897.
- 4694 supplemented by chap. 155-1, Laws 1895.
- 4694-4695 supplemented, as to inebriates, chap. 235, Laws 1897.
- 4694-4698 supplemented by chap. 155, Laws 1895.
 supplemented by chap. 156, Laws 1895.
 supplemented, as to inebriates, chap. 235, Laws 1897.
 supplemented, as to inebriates, chap. 260, Laws 1897.
- 4695 supplemented by chap. 155-2, Laws 1895.
- 4696 supplemented by chap. 153-3, Laws 1895.
- 4697 supplemented by chap. 155-4, Laws 1895.
- 4698 supplemented by chap. 155-6, Laws 1895.
- 4700 supplemented, as to bonds of public officers chap. 295, Laws 1895.
- 4711 amended, as to probate code, chap. 231, Laws 1897.
- 4712 supplemented, as to care of property of insane, chap. 44, Laws 1899.
- 4713 supplemented, as to care of property of insane, chap. 44, Laws 1899.
- 4714 supplemented, as to care of property of insane, chap. 44, Laws 1899.
- 4771 amended, as to ceremony of marriage, chap. 261, Laws 1901.
- 4772 amended, as to ceremony of marriage, chap. 261, Laws 1901.
- 4784 supplemented by chap. 143, Laws 1897.
- 4790 amended, as to divorce, chap. 40, Laws 1895.
- 4807 amended, as to permanent alimony in divorce actions, chap. 144, Laws 1901.
- 4822 supplemented, as to claims against the state, chap. 212, Laws 1899.
- 4833 supplemented, as to actions affecting titles, chap. 119, Laws 1899.
- 4837 amended, as to powers of district court, chap. 25, Laws 1895.
 amended, as to powers of district court, chap. 7, Laws 1897.
- 4838 supplemented, as to impartial trials, chap. 306, Laws 1895.
 amended, as to change of venue in certain cases, chap. 16, Laws 1901.
- 4851 supplemented by chap. 361, Laws 1897.
 amended, as to terms of district court, chap. 233, Laws 1899.
- 4879 supplemented, as to new judicial district, chap. 378, Laws 1897.
- 4887 supplemented, as to district court reporters, chap. 141, Laws 1899.
- 4891-4942 amended, as to Seventeenth judicial district, chap. 92, Laws 1897.
- 4894 supplemented, as to new judicial district, chap. 379, Laws 1897.
- 4898 supplemented, as to new judicial district, chap. 379, Laws 1897.
- 4906 supplemented, as to new judicial district, chap. 378, Laws 1897.
- 4907 amended by chap. 304, Laws 1897.
- 4912 supplemented by chap. 326, Laws 1897.

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- 4912 supplemented by chap. 362, Laws 1897.
 supplemented, as to terms of court in Kanabec county, chap. 361, Laws 1899, and 364, Laws 1899.
 amended by chap. 68, Laws 1902, as to terms of court in First judicial district.
- 4913 supplemented by chap. 363, Laws 1897.
 amended as to terms of District Court, chap. 259, Laws 1903.
- 4914 amended by chap. 61, Laws 1895.
 supplemented, as to new judicial district, chap. 379, Laws 1897.
 amended, as to terms of court in Hennepin county, chap. 167, Laws 1899.
- 4915 amended as to terms of court in Fifth judicial district, chap. 9, Laws 1903.
- 4916 amended by chap. 364, Laws 1897.
 supplemented, as to new judicial district, chap. 378, Laws 1897.
- 4917 supplemented by chap. 318, Laws 1895.
 supplemented by chap. 322, Laws 1895.
 repealed by chap. 385, Laws 1895.
 supplemented by chap. 365, Laws 1897.
 supplemented by chap. 366, Laws 1897.
 supplemented by chap. 367, Laws 1897.
 supplemented by chap. 379, Laws 1897.
 supplemented, as to terms of district court in Seventh district, chaps. 362, 368 and 369, Laws 1899.
- 4930 amended by chap. 141, Laws 1895.
 supplemented, as to terms of court in Eighth district, chap. 360, Laws 1899.
- 4932 supplemented, terms of court in Ninth district, chap. 368, Laws 1897.
 supplemented, Renville county detached from Ninth district, chap. 371, Laws 1897.
- 4933 supplemented, terms of court in Houston county, chap. 319, Laws 1895.
 supplemented, terms of court in Fillmore county, chap. 321, Laws 1895.
 amended, as to terms of court in Tenth Judicial district, chap. 8, Laws 1903.
- 4934 amended, term of the Eleventh district, chap. 114, Laws 1895.
 supplemented, as to terms of court in Eleventh district, chap. 365, Laws 1899.
- 4937 supplemented, terms of court in Lac qui Parle and Meeker counties, chap. 313, Laws 1895.
 supplemented, terms of court in Twelfth district, chaps. 369-371, Laws 1897.
 supplemented, as to terms of court in Twelfth district, chap. 370, Laws 1899.
- 4938 supplemented by chap. 314, Laws 1895.
 supplemented, terms of court in Thirteenth district, chaps. 372, 373 and 378, Laws 1897.
 supplemented, as to terms of court in Thirteenth district, chap. 363, Laws 1899.
- 4939 supplemented, terms of court in Fourteenth district, chaps. 315, 317, 322, Laws 1895.
 supplemented by chaps. 374 and 375, Laws 1897.
 supplemented, as to terms of court in Fourteenth district, chap. 367, Laws 1899.
- 4940 amended and supplemented by chaps. 142 and 316, Laws 1895.
 amended and supplemented, terms of court in Fifteenth district, chaps 304 and 376, Laws 1897.
 supplemented, as to terms of court in Sixteenth district, chaps. 366-8, Laws 1899.
- 4941 supplemented by chap. 323, Laws 1895.
 supplemented, terms of court in Sixteenth district, chap. 377, Laws 1897.

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 4954 (note) amended by chap. 307, Laws 1895.
 4960 amended by chap. 33, Laws 1895.
 amended, courts of justices of the peace, chap. 93, Laws 1897.
 amended, as to justice courts, chap. 321, Laws 1899.
 4962 amended, justices of the peace, chap. 203, Laws 1897.
 4966 amended, issue of summons in justice court, chap. 55, Laws 1895.
 amended, as to summons in justice court, chap. 57, Laws 1899.
 4967 amended by chap. 32, Laws 1895.
 4974 amended, transfer of actions to another justice, chap. 136, Laws 1897.
 5010 supplemented, as to juror's fees before coroner and justice, chap. 299,
 Laws 1899.
 4042 supplemented, return of property in replevin actions, chap. 32, Laws
 1897.
 5044 supplemented; replevin bond, chap. 32, Laws 1897.
 5045 amended, actions of replevin in justice courts, chap. 78, Laws 1895.
 5052 supplemented, as to attachment in justice court, chap. 80, Laws 1899.
 5055 amended, service of writs of attachment, chap. 34, Laws 1895.
 5068 supplemented, bonds in appeal from justice court, chap. 46, Laws 1897.
 5071 amended, appeals from justice courts, chap. 24, Laws 1895.
 5093 supplemented, disorderly houses prohibited, chap. 108, Laws 1897.
 5095 supplemented, criminal offenses by corporations, chap. 217, Laws 1895.
 5102 supplemented, soliciting place on jury list prohibited, chap. 352, Laws
 1897.
 5107 supplemented, cause of challenge of juror, chap. 352, Laws 1897.
 5113 amended, as to appeals from justice court, chap. 24, Laws 1901.
 5118-5119 as to certificates of conviction by justices of the peace, amended by
 chap. 263, Laws 1903.
 5134 supplemented, as to the title by adverse possession in public grounds,
 chap. 65, Laws 1899.
 5135 amended, as to time of commencement of action, chap. 123, Laws 1899.
 amended by chap. 123, Laws 1899, amended as to time of commencement
 of action, chap. 279, Laws 1901.
 5136 amended, as to time of commencement of actions, chap. 357, Laws 1901.
 5138 amended, time for commencing actions, chap. 30, Laws 1895.
 5141 statute of limitation as to time of commencement of action to foreclose
 mortgages, chap. 11, Laws 1901.
 5156 amended, as to parties to civil actions, chap. 4, Laws 1899.
 5164 amended, actions for injuries to children, chap. 45, Laws 1895.
 5178-5181 amended, bringing additional parties in actions, chap. 29, Laws
 1895.
 5188 amended, change of place of trial of civil actions, chap. 28, Laws 1895.
 supplemented, to secure an impartial judge at trials of actions, chap.
 306, Laws 1895.
 5192 amended, as to change of venue in justice courts, chap. 341, Laws 1899.
 5195 amended, as to notice to be contained in summons, chap. 27, Laws 1901.
 5199 amended, service of summons on minors, chap. 222, Laws 1897.
 5200 supplemented, service of summons on foreign corporations, chap. 332,
 Laws 1895.
 5203 supplemented, service of summons on corporations, chap. 332, Laws 1895.
 5204 amended, as to service of summons in civil actions, chap. 341, Laws 1903.
 5205 amended, as to service of summons in civil actions, chap. 63, Laws 1901.
 5207 amended, actions on joint liability, chap. 303, Laws 1897.
 5211 supplemented, service of summons on corporations, chap. 332, Laws 1895.
 5273 supplemented, disposition of property in court in case of adverse claims,
 chap. 329, Laws 1895.
 5288 amended, powers and duties of court commissioners, chap. 311, Laws
 1897.
 5292 supplemented, as to cash bail in municipal court, chap. 301, Laws 1899.

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- 5296 supplemented, disposition of property in case of adverse claim, chap. 329, Laws 1895.
- 5296-5297 amended, as to executions, attachments and process, chap. 171, Laws 1897.
- 5309 amended, as to effect of service of summons on garnishee, chap. 186, Laws 1901.
- 5312 supplemented, as to cash bail, chap. 301, Laws 1899.
- 5318 supplemented, garnishment, disposition of property in case of adverse claims, chap. 329, Laws 1895.
- 5323 amended, powers and duties of court commissioners, chap. 311, Laws 1897.
- 5354 amended, security in judgment by default, chap. 62, Laws 1895.
- 5379 supplemented, findings of facts by juries, chap. 324, Laws 1895.
- 5380 supplemented, findings of facts by juries, chap. 324, Laws 1895.
- 5384 supplemented, judgment directed in certain cases, instead of new trial, chap. 320, Laws 1895.
- 5386 amended, as to failure of courts to file decisions in time, chap. 47, Laws 1901.
- 5398 supplemented, judgment directed in certain cases, instead of new trial, chap. 320, Laws 1895.
- 5398 amended, as to new trials, chap. 46, Laws 1901.
- 5400 amended, as to preparation and settlement of bills of exceptions, chap. 26, Laws 1901.
- 5401 supplemented, use of tobacco by minors in public schools prohibited, chap. 116, Laws 1897.
- 5425 amended, as to docketing judgments, transcripts, and liens on real estate, chap. 274, Laws 1901.
- 5449 supplemented, as to cash bail, chap. 301, Laws 1899.
- 5459 amended by chaps. 37 and 79, Laws 1895.
- supplemented, prevention of oppressive garnishments, chap. 353, Laws 1895.
- amended, property exempt from execution, chaps. 6, 15, 126 and 354, Laws 1897.
- amended, as to exempt property, chap. 24, Laws 1899; also, chap. 267, Laws 1899.
- 5465-5468 supplemented, certain levies and judicial sales legalized, chap. 216, Laws 1897.
- 5469-5471 supplemented, certain judicial and foreclosure sales legalized, chap. 216, Laws 1897.
- 5470 supplemented, legalizing official certificates of sale, chap. 42, Laws 1897.
- 5472 supplemented, protection of purchasers at judicial sales, chap. 225, Laws 1895.
- 5472-5475 supplemented, redemption rights preserved, chap. 326, Laws 1895.
- 5475 third subdivision, as to time in which certificates of redemption from execution sales shall be filed, chap. 39, Laws 1901.
- 5499 conveyances by married women legalized, chap. 109, Laws 1895.
- 5518 amended, as to costs in actions, chap. 186, Laws 1899.
- supplemented, as to actions on bonds for costs, chap. 335, Laws 1899.
- 5533 amended, as to debts of husband and wife, chap. 325, Laws 1899.
- 5534 supplemented, conveyances by husband to wife legalized, chap. 35, Laws 1897.
- 5536 amended, husband not liable for torts of wife, chap. 10, Laws 1897.
- 5537 supplemented, fees of clerk of court, chap. 19, Laws 1897.
- 5537-5544 supplemented, fees of clerk of court in cities, chap. 296, Laws 1895.
- 5538 supplemented, fees for naturalization, chap. 19, Laws 1897.
- 5545 supplemented, fees for naturalization, chap. 19, Laws 1897.
- 5547 supplemented, employees of cities not to receive witness' fees in certain cases, chap. 241, Laws 1895.
- 5550 amended, as to fees of sheriffs, chap. 294, Laws 1903.

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- 5554 amended, as to fees of coroners, chap. 200, Laws 1901.
- 5558 amended, as to fees of justice of the peace, chap. 273, Laws 1901.
- 5567 amended, as to fees of notary public, chap. 194, Laws 1899.
- 5574-5580 supplemented, jury fees made uniform throughout the state, chap. 304, Laws 1895.
- 5574 supplemented, as to jurors' fees before coroner and justice, chap. 299, Laws 1899.
- 5577-5580 repealed in part, as to juror's fees in certain counties, chap. 388, Laws 1895.
- 5582 amended, to regulate proceeding before court commissioners, chap. 311, Laws 1897.
- 5597-5633 supplemented, providing for struck juries, chap. 328, Laws 1895.
repealed, struck juries abolished, chap. 13, Laws 1897.
- 5599 supplemented, engineers exempt from jury duty, chap. 309, Laws 1895.
supplemented, persons not to solicit place on jury list, chap. 352, Laws 1897.
- 5611 supplemented, as to drawing of jurors in counties of over 200,000, chap. 151, Laws 1899; also, chap. 240, Laws 1899.
- 5616 supplemented, as to return day for jury, chap. 12, Laws 1899.
- 5621 supplemented, as to drawing of jurors, chap. 151, Laws 1899; also, chap. 240, Laws 1899.
- 5624 supplemented, as to return day for jury, chap. 12, Laws 1899.
- 5628 supplemented, persons soliciting place on jury list not to be selected, chap. 352, Laws 1897.
supplemented, as to return day for jury, chap. 12, Laws 1899.
- 5629-5630 supplemented, persons soliciting place on jury list not to be selected, chap. 352, Laws 1897.
- 5636 supplemented, as to members of the legislature to administer oaths and take acknowledgments, chap. 55, Laws 1899.
- 5638 amended as to oaths and acknowledgments, chap. 44, Laws 1903.
- 5644 supplemented, legalizing certain acknowledgments, chap. 335, Laws 1895.
supplemented, as to who may take acknowledgments, chaps. 21, 55 and 62, Laws 1899.
supplemented, as to acknowledgment legalized, chaps. 184 and 195, Laws 1899, and 320, Laws 1899.
- 5644-5645 supplemented, acknowledgments of corporations taken by officers thereof legalized, chap. 335, Laws 1895.
- 5644-5645 amended, powers of court commissioners to take acknowledgments, chap. 311, Laws 1897.
- 5645 supplemented, as to who may take deposition, chap. 55, Laws 1899.
- 5655 amended, as to punishment of witnesses for failure to obey subpoenas, chap. 207, Laws 1899.
- 5660 amended, party in interest not to give evidence of conversation with deceased or insane person, chap. 27, Laws 1895.
- 5662 amended, attorney not to be examined as to privileged communications without consent of client, chap. 31, Laws 1895.
subd. 1, amended, as to evidence of husband and wife for or against each other, chap. 227, Laws 1903.
- 5706 amended, as to records of foreign courts as evidence, chap. 150, Laws 1899.
- 5708-5714 supplemented, compilation of the General Laws of Minnesota, chap. 310, Laws 1895.
- 5709 supplemented, deposition of Gen. Stat. 1894, chap. 374, Laws 1895.
- 5720 supplemented, as to record evidence of title, chaps. 255 and 284, Laws 1899.
- 5720-5721 supplemented, filing of affidavit in certain cases legalized, chaps. 308-5 and 312, Laws 1895.
- 5733 supplemented, as to record evidence of titles, chap. 284, Laws 1899.

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- 5738-5759 supplemented, to perfect record evidence of title to lands, chap. 274, Laws 1897.
- 5770 amended, actions for protection of property, chap. 299, Laws 1897.
- 5817 supplemented, as to actions affecting titles, chap. 119, Laws 1899.
- 5820 supplemented, as to actions affecting title, chap. 119, Laws 1899.
- 5821 amended, as to actions to test title of real property, chap. 266, Laws 1897.
- 5823 supplemented, as to actions affecting titles, chap. 119, Laws 1899.
- 5830 amended, as to opening mines on land held in common, chap. 154, Laws 1903.
- 5844 supplemented, notice to vendee in actions to quiet title, chap. 223, Laws 1897.
- 5845 amended, as to second trials in ejectment, chap. 344, Laws 1901.
- 5850 amended, action and rights in real property, chap. 38, Laws 1897.
supplemented, notice to vendee, chap. 223, Laws 1897.
- 5865 supplemented, as to parties in actions involving titles, chap. 13, Laws 1899.
- 5865 amended, as to re-entry by landlord on leased premises, chap. 72, Laws 1901.
- 5877 amended, as to ownership of land by corporations, chap. 129, Laws 1899.
- 5878 amended, lands illegally held forfeited, chap. 112, Laws 1897.
- 5889-5911 supplemented, enforcement of liability of stockholders, by receivers, chap. 341, Laws 1897.
- 5890 supplemented, as to actions against railroad companies, chap. 311, Laws 1899.
- 5891 supplemented, as to actions against railroad companies, chap. 311, Laws 1899.
- 5892 supplemented, as to actions against railroad companies, chap. 311, Laws 1899.
- 5900-5904 supplemented, reorganization of insolvent corporations having banking powers, chap. 89, Laws 1897.
- 5913 amended, actions by executors and administrators, chap. 261, Laws 1897.
- 5950 amended, limitation of action on bonds of sureties, chap. 126, Laws 1895.
- 5994-6027 supplemented, speedy hearing of habeas corpus proceedings, chap. 327, Laws 1895.
- 6028-6040 supplemented, certain levies and sales on execution and foreclosures legalized, chap. 216, Laws 1897.
- 6028-6056 supplemented, past foreclosures legalized, chap. 177, Laws 1897.
- 6028 amended, as to limitation of time to foreclose mortgages, chap. 15, Laws 1903.
- 6029 and 6033, amended as to foreclosures of mortgages, chap. 87, Laws 1903.
- 6032 supplemented, evidence of foreclosure records, chaps. 216 and 308, Laws 1895.
supplemented, certain foreclosures legalized, chaps. 331 and 334, Laws 1897.
- 6033 supplemented, procure mortgage foreclosure by advertisement, chap. 71, Laws 1897.
- 6034 amended, foreclosure sale, how made, chap. 262, Laws 1897.
supplemented, as to legalizing foreclosure records, chap. 22, Laws 1899.
- 6034-6038 supplemented, as to legalizing foreclosure records, chap. 333, Laws 1899.
- 6038 supplemented, certain sheriff's certificates legalized, chap. 284, Laws 1895.
supplemented, certain sheriff's certificates legalized, chap. 42, Laws 1897.
- 6038-6040 supplemented, certain sheriff's certificates legalized, chap. 298, Laws 1897.
- 6038 supplemented, as to legalizing sheriff's certificates, chap. 326, Laws 1899.
- 6039 supplemented, certain sheriff's certificates legalized, chap. 42, Laws 1897.
- 6041 amended, as to redemption from foreclosure sale, chap. 37, Laws 1899.

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- 6041-6044 amended, payment of taxes in redemption for mortgage sales, chap. 193, Laws 1897.
- 6042 supplemented, protection to purchasers at judicial and foreclosure sales, chap. 225, Laws 1895.
- 6043 third subdivision amended, as to time in which certificates of redemption of mortgage sale shall be recorded, chap. 38, Laws 1901.
- 6047 supplemented, filing of affidavits in certain cases legalized, chap. 308, Laws 1895.
- 6048 supplemented, record of affidavits as evidence, chap. 308, Laws 1895.
- 6051 supplemented, filing of affidavit of costs, record of as evidence, chap. 308, Laws 1895.
- 6054 amended, as to sheriff's certificates, chap. 374, Laws 1901.
- 6057 supplemented, defective foreclosures, legalized, chap. 177, Laws 1897.
- 6057-6062 supplemented, certain execution and foreclosure sales legalized, chap. 216, Laws 1897.
- 6057 supplemented, defective foreclosures legalized, chap. 177, Laws 1897. 1894, legalized, chap. 39, Laws 1897.
- supplemented, as to legalizing foreclosure sale, chap. 185, Laws 1899.
- 6059-6063 supplemented, certain sheriff's certificates of foreclosure sales legalized, chap. 298, Laws 1897.
- 6062 supplemented, as to legalizing sheriff's certificates, chap. 14, Laws 1899.
- 6064 supplemented, as to purchasers at foreclosure sales, chap. 225, Laws 1895.
- supplemented, protection to purchasers at foreclosure sales, as amended by chap. 193, Laws 1897.
- 6065 supplemented, certain official certificates of sale legalized, chap. 42, Laws 1897.
- amended, sheriff's sales of real estate made uniform, chap. 253, Laws 1897.
- 6066 repealed by chap. 253, Laws 1897.
- 6109 amended, jurisdiction of justices of the peace in forcible entry cases, chap. 241, Laws 1897.
- 6111-6113 amended, as to service of summons in forcible entry, chap. 373, Laws 1903.
- 6136 supplemented, judgment may be entered in certain cases instead of granting motion for new trial, chap. 320, Laws 1895.
- 6178 amended, as to admission of attorneys, chap. 60, Laws 1899.
- 6192 amended, appointment of attorney in case of disability or insanity of former attorney, chap. 26, Laws 1895.
- 6210-6228 supplemented, creation of boards of arbitration and conciliation, chap. 170, Laws 1895.
- 6229 amended, mechanics' liens, chap. 101, Laws 1895.
- 6229-6246 supplemented, as to mechanics' lien, chap. 277, Laws 1899.
- 6238 amended, mechanics' liens, chap. 101, Laws 1895.
- 6254 supplemented, liens for labor upon logs and timber and mines, chaps. 336 and 350, Laws 1897.
- 6353 supplemented, persons not to solicit names on jury lists, chap. 352, Laws 1897.
- 6418 amended, as to communications with convicts, chap. 112, Laws 1899.
- 6467 amended, as to crime of kidnapping, chap. 14, Laws 1901.
- 6475 amended, punishment of assault in second degree, chap. 345, Laws 1897.
- 6513 supplemented, as to investigation of Sunday labor, chap. 148, Laws 1899.
- 6523 amended, as to definition of rape, chap. 72, Laws 1899.
- 6536 supplemented, as to parolment of convict, chap. 74, Laws 1899.
- 6538 amended, exclusion of minors from immoral places, chap. 115, Laws 1897.
- supplemented, use of tobacco by minors in public schools prohibited, chap. 116, Laws 1897.
- supplemented, as to sending minors to places of ill-repute, chap. 313, Laws 1899.

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- 6539 supplemented, regulating the employment of children, chap. 171, Laws 1895.
 supplemented, employment of children regulated, as amended by chap. 360, Laws 1897.
 supplemented, as to sending minors to places of ill-repute, chap. 313, Laws 1899.
- 6543 supplemented, as to care of orphans, chap. 329, Laws 1899.
- 6575 amended, as to disorderly houses, chap. 158, Laws 1899.
- 6613 supplemented, destruction of noxious weeds, chaps. 271 and 274, Laws 1895.
- 6625 to prevent the adulteration of candy, spices, food jellies, and flaxseed, chap. 204, Laws 1895.
 supplemented by chaps. 167, 176 and 217, Laws 1897.
 supplemented, as to adulteration of paints, chap. 244, Laws 1899.
 amended, as to adulteration of food, drugs and liquors, chap. 117, Laws 1901.
- 6626 supplemented, prevent sale of decayed food and game, chaps. 200 and 201, Laws 1895.
- 6637 supplemented, as to traction engines, chap. 151, Laws 1895.
- 6638 supplemented, regulation of traction engines, chap. 151, Laws 1895.
- 6641 supplemented, adulteration of spices and food jellies, chaps. 167 and 176, Laws 1897.
 supplemented, as to renovated butter, chap. 94, Laws 1899.
- 6645-6646 supplemented, riotous and obscene conduct prohibited, chap. 108, Laws 1897.
- 6661 supplemented, the using of firearms prohibited, chap. 340, Laws 1895.
 supplemented to prohibit riotous conduct, chap. 108, Laws 1897.
- 6695 supplemented, as to definition of forgery, chap. 23, Laws 1899.
- 6696 supplemented, as to definition of forgery, chap. 23, Laws 1899.
- 6709 amended, larceny defined, chap. 279, Laws 1897.
- 6715 amended, punishment of grand larceny in the first degree, chap. 17, Laws 1897.
- 6732-6742 supplemented, coercion and blacklisting of employes prohibited, chaps. 172 and 174, Laws 1895.
- 6763 amended, officers of insolvent corporations prohibited from receiving deposits, penalty, chap. 219, Laws 1895.
- 6780 amended, malicious injuries to piers, booms or dams, penalty, chap. 220, Laws 1895.
 supplemented, obstruction of levees prohibited, chap. 345, Laws 1895.
 supplemented, cities empowered to acquire dock sites and improve the same, chap. 181, Laws 1897.
- 6791 penalty for injuring wires and electric apparatus, chap. 327, Laws 1897.
- 6792 supplemented, as to mutilation of horses, chap. 68, Laws 1899.
- 6793 supplemented, as to mutilation of horses, chap. 68, Laws 1899.
- 6794 supplemented, to prevent the spread of contagious diseases among domestic animals, chap. 233, Laws 1897.
- 6849 supplemented, vagrancy and punishment thereof, chap. 335, Laws 1897.
 supplemented, as to probation of juvenile delinquents, chap. 154, Laws 1899.
- 6857 amended, as to getting on and off moving cars, chap. 99, Laws 1899.
- 6878 supplemented, raising of water in lakes, chap. 198, Laws 1895.
 supplemented, maintenance of water in navigable lakes, chap. 88, Laws 1897.
 supplemented, right of shore owners in beds of meandered streams and lakes, chap. 257, Laws 1897.
- 6879 supplemented, maintenance of water in lakes, chap. 88, Laws 1897.
- 6882 supplemented, as to dogs being nuisances, chap. 286, Laws 1899.
- 6883 supplemented, as to dogs being nuisances, chap. 286, Laws 1899.
- 6884 supplemented, as to dogs being nuisances, chap. 286, Laws 1899.

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- 6896-6901 supplemented, issuance of bonds by certain towns, chap. 253, Laws 1895.
 amended, destruction of Russian thistles and noxious weeds, chaps. 111 and 244, Laws 1897.
 supplemented, as to noxious weeds, chap. 271, Laws 1895.
 supplemented, as to noxious weeds, chap. 272, Laws 1895.
 supplemented, certain weeds common nuisances, chap. 273, Laws 1895.
 supplemented, as to Russian thistle, chap. 274, Laws 1895.
- 6902 supplemented, protection of cranberries, chap. 343, Laws 1895.
- 6903 supplemented, protection of cranberries, chap. 343, Laws 1895.
- 6913-6929 amended, unlawful use of barrels, kegs, bottles, etc., chap. 143, Laws 1895.
 supplemented, protection of owners of bottles, boxes, kegs, etc., chap. 144, Laws 1895.
- 6923 amended, relating to trade-marks, chap. 122, Laws 1895.
- 6924 amended, relating to trade-marks, chap. 122, Laws 1895.
- 6925 amended, use of imitation trade-marks, penalty, chap. 122, Laws 1895.
- 6926 amended, penalty for unlawful use of trade-marks, chap. 122, Laws 1895.
- 6927 amended, record of trade-marks and labels, chap. 122, Laws 1895.
- 6928 amended, imitation trade-marks to be enjoined, chap. 122, Laws 1895.
- 6935 supplemented, punishment of riotous and obscene conduct, chap. 108, Laws 1897.
- 6938 supplemented, penalty of riotous and obscene conduct, chap. 108, Laws 1897.
- 6940-6945 supplemented, as to disorderly houses, keeping of prohibited, chap. 108, Laws 1897.
- 6944 amended, as to disorderly conduct on public conveyances, chap. 97, Laws 1899.
- 6951 supplemented, sale of cigarettes and tobacco to pupils of public schools prohibited, chap. 192, Laws 1895.
- 6952 supplemented, penalty for selling cigarettes and tobacco to pupils of public schools, chap. 192, Laws 1895.
 supplemented, sale of tobacco to minors prohibited, chap. 116, Laws 1897.
- 6955 supplemented, to prevent and punish pool selling, chap. 218, Laws 1895.
- 6966 supplemented, as to toilet rooms on freight trains, chap. 314, Laws 1899.
- 6970 supplemented, riotous or obscene conduct near religious meetings, penalty, chap. 108, Laws 1897.
- 6976 supplemented, as to regulating of use of unwholesome animal matter, chap. 175, Laws 1899.
- 6983 supplemented, as to branding of renovated butter, chap. 94, Laws 1899.
- 6984 supplemented, as to branding of renovated butter, chap. 94, Laws 1899.
- 6992-6994 amended, prevention of sale of unhealthy dairy products, chap. 119, Laws 1897.
- 6992-7007 inspection of milk to preserve the public health, chap. 202 and 203, Laws 1895.
- 6992-6994 supplemented, as to use of preservatives for milk, etc., chap. 257 and 295, Laws 1899.
- 6993 supplemented, as to dairies, chap. 203, Laws 1895.
 supplemented, as to use of preservatives for milk, etc., chap. 257, Laws 1899.
- 6994 supplemented, as to use of preservatives in milk, etc., chap. 257, Laws 1899.
- 6998 amended, false brands prohibited, chap. 119, Laws 1897.
- 6999 supplemented, relating to dairy commissioners, chap. 155, Laws 1897.
 supplemented, as to dairy products, chap. 295, Laws 1899.
- 7003 amended, skim milk defined, chap. 119, Laws 1897.
- 7004 amended, license to sell milk, chap. 119, Laws 1897.
- 7007-7034 supplemented, manufacture of adulterated food jellies prohibited, chap. 167, Laws 1897.

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- 7008 amended, jurisdiction of court, to enforce laws against fraudulent food products, chap. 119, Laws 1897.
- 7010 supplemented, adulteration of spices and baking powder, chap. 176, Laws 1897.
supplemented, as to impure food products, chap. 245, Laws 1899.
- 7011 supplemented, as to impure food products, chap. 245, Laws 1899.
- 7022 amended, as to adulteration of food products and liquors, chap. 115, Laws 1901.
- 7042-7043 dairy commissioners, powers of, to enforce laws against adulteration of spices and linseed oil, chap. 176 and 217, Laws 1897.
- 7073 amended, as to control of infectious diseases, chap. 69, Laws 1895.
- 7084 amended, as to extradition of criminals, chap. 140, Laws 1903.
- 7149 supplemented, as to cash bail, chap. 301, Laws 1899.
- 7169 amended, as to examination of offenders, chap. 159, Laws 1899.
- 7171 supplemented, as to return day for juries, chap. 12, Laws 1899.
- 7173 supplemented, engineers exempt from jury duty, chap. 309, Laws 1895.
- 7264-7282 supplemented, as to summons and service thereon in criminal offenses by corporations, chap. 217, Laws 1895.
- 7314 amended, relating to change of venue in criminal cases, chap. 31, Laws 1902.
- 7364 amended, as to peremptory challenges of jurors, chap. 196, Laws 1903.
- 7375 supplemented, as to compensation of triers, chap. 26, Laws 1899.
- 7415 supplemented, as to board of pardons and powers thereof, chap. 23, Laws 1897.
- 7416 supplemented, as to pardons, chap. 23, Laws 1897.
- 7426 amended, as to construction and management of jails, chap. 363, Laws 1901.
amended, as to management of jails, chap. 378, Laws 1903.
- 7426 supplemented, act to compel prisoners in jail to perform labor on public works, chap. 127, Laws 1897.
- 7429 amended, as to keeping prisoners from other counties, chap. 182, Laws 1901.
- 7430 supplemented, as to probation of juvenile delinquents, chap. 154, Laws 1899.
- 7433-7436 amended, as to construction of county jails, chap. 41, Laws 1897.
- 7449-7511 supplemented, as to materials and machinery for use in state prison, chap. 357 and 360, Laws 1895.
- 7455 amended, as to state prison, chap. 228, Laws 1899.
amended by chap. 228, Laws 1899, as to compensation of officers of state prison, chap. 286, Laws 1901.
- 7457 supplemented, as to sale of binding twine, chap. 183, Laws 1899.
- 7468 supplemented, as to sale of binding twine, chap. 183, Laws 1899.
- 7475 amended, as to authority of warden of state prison, chap. 243, Laws 1897.
- 7491-7506 supplemented, as to employment of prisoners in state prison, chap. 154, Laws 1895.
- 7492 supplemented, to compel prisoners in jails to labor on public works, chap. 127, Laws 1897.
- 7493 supplemented, as to manner of performing labor by prisoners, chap. 127, Laws 1897.
- 7498 amended, as to employment of prisoners in state prison, chap. 94, Laws 1895.
- 7509 repeal, as to report to district judges by superintendent of state reformatory, chap. 118, Laws 1899.
- 7510 amended, as to parole of prisoners, chap. 232, Laws 1901.
- 7523-7552 supplemented, as to legalizing deeds and mortgages in certain cases, chaps. 139 and 189, Laws 1897.
- 7523-7570 supplemented, as to legalizing foreclosure of mortgages by foreign executors, chap. 178, Laws 1897.

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- 7523-7584 supplemented, certain defective acknowledgments, cured, chaps. 335 and 346, Laws 1895.
 supplemented, as to legalizing defective conveyances, chap. 76, Laws 1899.
- 7529 supplemented, certain defective deeds and mortgages legalized, chap. 211, Laws 1895.
- 7530 supplemented, records of defective deeds and mortgages legalized, chap. 211, Laws 1895.
- 7534 supplemented, as to legalizing defective conveyances, chap. 76, Laws 1899.
- 7537 supplemented, as to legalizing defective conveyances, chap. 76, Laws 1899.
- 7539 supplemented, as to legalizing defective conveyances, chap. 76, Laws 1899.
- 7540 supplemented, as to legalizing defective conveyances, chap. 76, Laws 1899.
- 7545 supplemented, as to legalizing defective conveyances, chaps. 3 and 76, Laws 1899.
- 7549 supplemented, as to legalizing defective conveyances, chap. 76, Laws 1899.
- 7553 supplemented, as to legalizing defective conveyances, chap. 76, Laws 1899.
- 7557-7570 supplemented, acts legalizing certain deeds and mortgages defectively executed, chaps. 139 and 189, Laws 1897.
- 7558 supplemented, act legalizing conveyances by married women by attorneys in fact, chap. 213, Laws 1895.
 supplemented, act confirming conveyance by married woman by attorney in fact when husband has not joined in the power, chap. 268, Laws 1897.
- 7567 supplemented, as to legalizing defective conveyances, chap. 76, Laws 1899.
- 7568 supplemented, act confirming conveyance by married woman by attorney in fact when husband has not joined in the power, chap. 268, Laws 1897.
- 7570 supplemented, as to legalizing defective conveyances, chap. 76, Laws 1899.
- 7571 supplemented, as to legalizing defective conveyances, chap. 76, Laws 1899.
- 7578 supplemented, as to legalizing defective conveyances, chap. 76, Laws 1899.
- 7580 supplemented, act legalizing conveyances of property by husband to wife, chap. 35, Laws 1897.
- 7583 supplemented, as to conveyances by husband and wife by separate deeds, chaps. 208 and 209, Laws 1895.
 supplemented, as to conveyances by husband to wife, and by husband and wife, by separate deeds, chaps. 35 and 77, Laws 1897.
- 7585 supplemented, as to legalizing mortgage foreclosures, chaps. 324 and 333, Laws 1899.
- 7587 supplemented, as to sales of real estate by executors, etc., chap. 212, Laws 1895.
- 7593 amended, as to sheriff's deed on sales made by predecessor, chap. 305, Laws 1901.
- 7594 supplemented, as to legalizing defective foreclosures, chap. 324, Laws 1899.
- 7595-7607 supplemented, acts legalizing official certificates of sale, chaps. 210, 214 and 284, Laws 1895.
- 7630 supplemented, as to county drainage, chap. 323, Laws 1899.
- 7632 supplemented, as to legalizing certain city and county bonds, chaps. 231 and 279, Laws 1895.
 supplemented, as to legalizing village bonds for armories, chap. 346, Laws 1899.
- 7633 supplemented, as to certain county bonds legalized, chap. 279, Laws 1895.

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- 7659-7713 supplemented, act for weighing and inspecting grain at Little Falls, chap. 30, Laws 1897.
- 7659 supplemented, as to board of appeal in grain inspection, chap. 199, Laws 1899.
- 7714-7724 supplemented, act to regulate storage and shipment of grain, chap. 148, Laws 1895.
- 7733-7740 supplemented, acts to furnish seed grain and seed grass, and payments therefor, chaps. 193, 194, 349, 359 and 363, Laws 1895.
- supplemented, as to seed grain loans, chap. 29, Laws 1897.
- 7747 amended, as to reorganization of drainage districts, chap. 82, Laws 1895.
- 7792 supplemented, act for the raising of water in lakes, chap. 198, Laws 1895.
- 7793-7839 supplemented, as to compensation for construction of drains, chap. 293, Laws 1895.
- 7793 amended, as to county drainage, chap. 347, Laws 1899.
- 7794 supplemented, as to county drainage, chap. 323, Laws 1899.
- 7795 amended, as to drainage of wet lands, chap. 81-1, Laws 1895.
- 7798 amended, as to drainage of wet lands, chap. 81-2, Laws 1895.
- 7800 amended, as to drainage of wet lands and power of county commissioners, chap. 84, Laws 1895.
- 7801 amended, as to drainage of wet lands, chap. 81-3, Laws 1895.
- amended, as to drainage of wet lands, chap. 328, Laws 1897.
- 7807 amended, as to drainage of wet lands, chap. 81-4, Laws 1895.
- 7808 amended, as to drainage of wet lands, chap. 328, Laws 1897.
- amended, as to county drainage, chap. 274, Laws 1899.
- 7814 amended, as to drainage of wet lands, chap. 81-5, Laws 1895.
- 7817 amended, as to drainage of wet lands, chap. 83, Laws 1895.
- 7822 amended, as to drainage and powers of county commissioners therein, chap. 84-2, Laws 1895.
- 7840 amended, as to drainage and powers of town supervisors, chap. 95, Laws 1895.
- 7847 amended, as to drainage of wet lands, chap. 96, Laws 1895.
- 7848-7852 supplemented, as to opening of closed water courses in certain counties, chap. 164, Laws 1895.
- supplemented, as to board audit, and board of drainage commissioners, chaps. 142 and 318, Laws 1897.
- 7853-7868 supplemented, as to sugar bounty, chap. 19, Laws 1899.
- supplemented, as to preservation of forests, chap. 214, Laws 1899.
- supplemented, as to forest preservation, chap. 196, Laws 1895.
- supplemented, as to promotion of forestry on open prairies, chap. 329, Laws 1897.
- 7859 amended, as to tree-planting bounty, chap. 230, Laws 1903.
- 7864 amended, as to transfer of forestry fund to revenue fund, chap. 63, Laws 1895.
- 7869-7890 supplemented, as to encouragement of sugar manufacturing, chap. 205, Laws 1895.
- 7869 amended, as to bounties for arrest of horse thieves, chap. 144, Laws 1897.
- amended, as to horse stealing bounties, chap. 212, Laws 1901.
- amended, as to bounties for conviction of horse thieves, chap. 158, Laws 1903.
- 7872 amended, as to reward for killing wolves, chap. 117, Laws 1895.
- supplemented, as to wolf-bounty warrants, chap. 341, Laws 1895.
- supplemented, as to wolf bounty, chap. 146, Laws 1899.
- 7872-7878 amended, as to reward for killing wolves, chap. 43, Laws 1897.
- 7874 amended, as to reward for killing wolves, chap. 116, Laws 1895.
- 7877 amended, as to reward for killing wolves, chap. 117, Laws 1895.
- 7891 amended, as to regulation of the practice of medicine, chap. 89, Laws 1895.
- 7892 amended, as to regulation of the practice of medicine, chap. 89, Laws 1895.

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- 7893 amended, as to regulation of the practice of medicine, chap. 89, Laws 1895.
- 7923 amended, as to regulation of pharmacists, chap. 138, Laws 1897.
amended, as to practice of pharmacy, chap. 34, Laws 1899.
- 7924 amended, as to practice of pharmacy, chap. 34, Laws 1899.
- 7930 amended, as to practice of pharmacy, chap. 34, Laws 1899.
- 7934 amended, as to practice of pharmacy, chap. 34, Laws 1899.
- 7935 amended, as to practice of pharmacy, chap. 34, Laws 1899.
- 7936 amended, as to practice of pharmacy, chap. 34, Laws 1899.
- 7939 amended, as to practice of pharmacy, chap. 34, Laws 1899.
- 7940 amended, as to practice of pharmacy, chap. 34, Laws 1899.
- 7941 amended, as to practice of pharmacy, chap. 34, Laws 1899.
- 7944 amended, as to practice of veterinary medicine and surgery, chap. 322, Laws 1897.
- 7949 amended, as to practice of veterinary medicine and surgery, chap. 322, Laws 1897.
- 7956 supplemented, as to salary of supreme court reporters, chap. 311, Laws 1895.
supplemented, as to appropriations, salary of supreme court reporters, and clerk in office of secretary of state, chaps. 155 and 358, Laws 1897.
supplemented, as to expenses of state government, chaps. 283-310, Laws 1899.
- 7957 amended, as to salary of the state treasurer's clerk, chap. 104, Laws 1895.
- 7965 supplemented, as to salaries, chap. 155, Laws 1897.
- 7968 supplemented, as to salary of marshal of supreme court, chap. 155, Laws 1897.
- 7969 supplemented, as to appropriations for various purposes, chap. 233, Laws 1897.
- 7970 supplemented, as to appropriations for horticultural society and dairymen's association, chaps. 358 and 370, Laws 1895.
supplemented, as to reports of horticultural society, chap. 215, Laws 1899.
- 7972 supplemented, as to appropriation for charitable institutions, chap. 155, Laws 1897.
- 7973 supplemented, as to appropriation for school of mines, chap. 155, Laws 1897.
- 7979 amended, as to fees of public institutions, chap. 157, Laws 1899.
- 7987 supplemented, as to Lincoln's birthday, holiday, chaps. 351 and 352, Laws 1895.
supplemented, as to desecration of Decoration day, chap. 213, Laws 1897.
supplemented, as to Arbor and Bird day, chap. 36, Laws 1899.
amended, as to legal holiday, chap. 165, Laws 1899.
amended, as to desecration of Decoration day, chap. 266, Laws 1899.
- 7993 amended, as to what constitutes a newspaper, for publication of legal notices, chap. 121, Laws 1895.
amended, as to what constitutes a newspaper, for publication of legal notices, chaps. 256 and 285, Laws 1897.
amended, as to definition of legal newspaper, chap. 10, Laws 1899.
- 7994 supplemented, as to legalizing certain mortgage foreclosures, chap. 331, Laws 1897.
- 7995 amended, as to what constitutes a newspaper, for the publication of legal notices, chap. 121, Laws 1895.
- 8002-8003 amended, as to equal rights of citizens in inns, etc., chap. 349, Laws 1897.
supplemented, as to practice of barbering, chap. 186, Laws 1897.
- 8002 supplemented, as to protection of civil rights, chap. 41, Laws 1899.
- 8013 supplemented, as to orphan asylums, chap. 329, Laws 1899.
- 8016 amended, as to manner of adoption of children, chap. 214, Laws 1897.

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- 8016 supplemented, as to importation of dependent children, chap. 138, Laws 1899.
- 8017 amended, as to adoption of children, chap. 214, Laws 1897.
- 8019 amended, as to adoption of children, chap. 214, Laws 1897.
- 8020 amended, as to adoption of children, chap. 44, Laws 1895.
- 8023 supplemented, as to adoption of children and descent of property, chap. 221, Laws 1895.
- 8024 supplemented, as to adoption of children and descent of property, chap. 221, Laws 1895.
- 8031 supplemented, as to care of crippled and deformed children, chap. 289, Laws 1897.
- 8035 supplemented, as to prevention of desecration of United States flag, chap. 332, Laws 1897.
- 8035-8039 supplemented, as to placing of national flag over voting places on election day, chap. 183, Laws 1897.
- supplemented, as to desecration of United States and state flags, chap. 163, Laws 1899.
- 8042 amended, as to burial of bodies of discharged soldiers and sailors, chap. 178, Laws 1899.
- 8044 amended, as to burial of honorably discharged soldiers and sailors, chap. 88, Laws 1895.
- 8445 amended, as to burial of soldiers and marines, chap. 306, Laws 1901.

APPENDIX B.

Index to General Laws of 1895 Amended or Repealed by the General Laws of 1897, 1899, 1901, 1902 and 1903.

Chap.	Sec.	
8	1-21	amended by chap. 81, Laws 1897, as to debts of villages included in cities.
8	...	amended, as to incorporation of cities, chaps. 275 and 319, Laws 1899.
8	1	amended by chap. 53, Laws 1902, as to incorporation and government of cities.
15	...	subsection 2 of subsection 3 amended, as to banks of discount and deposit, chap. 107, Laws 1901.
18	...	amended by chap. 300, Laws 1897, relating to independent school districts.
28	...	amended as to change of venue, chap. 345, Laws 1903.
33	...	amended by chap. 93, Laws 1897, as to courts of justices of the peace.
	...	amended, as to justice courts, chap. 321, Laws 1899.
41	...	amended, as to auctioneers, chap. 158, Laws 1901.
46	6	amended, as to public highways in townships, and assessments therefor, chap. 295, Laws of 1901.
46	...	amended, as to township highways, chap. 380, Laws 1903.
47	...	amended, as to laying out of judicial highways, chap. 213, Laws 1901.
55	...	amended, as to requisites of summons in justice courts, chap. 57, Laws 1899.
64	...	amended, as to publication of Legislative Manual, chap. 106, Laws 1899.
66	...	amended, by chap. 188, Laws 1897, as to notices of appointment of assignees or receivers.
67	...	repealed by chap. 264, Laws 1897, relating to insolvency.
74	...	amended, as to regulation of employment bureaus, chap. 42, Laws 1899.
75	...	amended by chap. 1895, Laws 1897, relating to common school districts.
75	...	amended, as to conduct of school meetings, chap. 15, Laws 1899.
79	...	amended by chap. 15, Laws 1897, relating to exempt property.
81	...	amended, as to drainage of wet lands, chap. 274, Laws 1899.
81	...	repealed by sec. 19, chap. 38, Laws of 1902, as to ditch proceedings.
82	...	repealed by sec. 19, chap. 38, Laws of 1902, as to ditch proceedings.
83	...	repealed by sec. 19, chap. 38, Laws of 1902, as to ditch proceedings.
84	...	repealed by sec. 19, chap. 38, Laws of 1902, as to ditch proceedings.
91	...	amended, as to railroad and warehouse commission, chap. 39, Laws 1899.
100	...	amended, as to compensation of probate judges and clerks, chap. 145, Laws 1899.
105	2	amended by chap. 312, Laws 1897, sale and lease of mineral lands.
105	...	amended, as to lease of state mineral land, chap. 225, Laws 1903.

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105	3	amended, as to sale and lease of mineral lands, chap. 317, Laws 1903.
118	...	amended, as to costs of new capitol building, chap. 168, Laws 1901.
118	...	amended, as to cost of state capitol, chap. 121, Laws 1903.
121	...	amended by chap. 256, Laws 1897, defining legal newspaper.
	...	amended by chap. 285, Laws 1897, defining legal newspaper for publication of laws and legal notices.
121	...	amended, as to consolidation of legal newspapers, chap. 10, Laws 1899.
128	...	amended, as to legalizing school bonds, chap. 9, Laws 1899.
131	...	amended, as to issue of town bonds for refunding old bonds, chap. 325, Laws 1903.
136	...	amended, as to preparation of ballots for election, chap. 174, Laws 1903.
137	5	amended by chap. 324, Laws 1897, compensation of judges and officers of elections.
143	...	amended, as to protection of bottles and other vessels, chap. 306, Laws 1899.
144	...	amended, as to protection of bottles and other vessels, chap. 306, Laws 1899.
145	...	amended by chap. 228, Laws 1897, as to banks of discount and deposits.
	...	amended, as to banks of discount and other deposits, chap. 142, Laws 1899.
	...	amended by chap. 156, Laws 1897.
153	...	amended, as to state reform school, chap. 156, Laws 1899.
163	3	amended by chap. 302, Laws 1897, relating to state lands.
167	...	amended by chap. 153, Laws 1897, as to vacation of state roads through incorporated cities.
171	1-5	amended by chap. 360, Laws 1897, as to employment of children.
175	36	amended by chap. 58, Laws 1897, as to organization of mutual creamery fire insurance companies; also, by chap. 258, Laws 1897.
	53	amended by chap. 254, Laws 1897, as to revising and codifying insurance laws.
61, 62		amended by chap. 62, Laws 1897, as to title insurance companies.
	...	amended by chap. 63, Laws 1897, to authorize insurance against loss by burglary and theft.
	...	amended, as to mutual creamery and fire insurance companies, chap. 198, Laws 1899.
	...	amended, as to bicycle insurance companies, chap. 234, Laws 1899.
	...	amended, as to codifying insurance laws, chap. 334, Laws 1899.
175	...	amended, as to insurance, chap. 166, Laws 1901.
175	57	amended, as to giving of surety bonds by certain officers, chap. 145, Laws 1901.
175	...	amended, as to revision of insurance laws, chap. 143, Laws 1901.
175	27	amended by chap. 8, Laws 1902, as to formation of insurance companies.
175	25	amended, as to revision of insurance laws, chap. 245, Laws 1903.
175	32	amended, as to codifying insurance law, chap. 142, Laws 1903.
175	36	amended, as to organization of mutual creamery fire insurance companies, chap. 92, Laws 1903.
175	36	as amended by chap. 258, Laws 1897, and chap. 198, Laws 1899, as to mutual creamery insurance companies, chap. 347, Laws 1903.
175	57	as amended by chap. 145, Laws 1901, amended as to sureties on bonds of public officers, chap. 239, Laws 1903.
175	74	amended, as to insurance laws, chap. 327, Laws 1903.

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177	...	repealed by chap. 164, Laws 1897, relating to town insurance companies.
181	...	amended, as to teacher's university certificate, chap. 20, Laws 1899.
183	...	amended, as to high, graded and rural schools, chap. 352, Laws 1899.
186	...	amended, by chap. 192, Laws 1897, as to elementary normal instruction in high schools.
186	2	amended, as to instruction in common branches in high schools, chap. 359, Laws 1903.
187	1	amended by chap. 359, Laws 1897, issue of bonds to build school-houses in school districts.
189	2	amended by chap. 174, Laws 1897, to allow boards of education to elect one of their number treasurer.
197	9	continued in force as to national guard, chap. 52, Laws 1903.
199	...	amended by chap. 278, Laws 1897, sanitary regulation of bakeries.
204	1-2	amended, as to adulteration of candy, chap. 118, Laws 1901.
205	...	supplemented, as to sugar bounty, chap. 19, Laws 1899.
205	...	amended, as to sugar bounty, chap. 307, Laws 1899.
206	...	amended, as to pound nets in international waters, chap. 176, Laws 1899.
222	1	amended by chap. 204, Laws 1897, as to agreements of executors, administrators, guardians, receivers, etc.
225	...	amended by chap. 193, Laws 1897, protection of purchasers at judicial and foreclosure sales.
229	...	amended by chap. 140, Laws 1897, relating to municipal courts in cities of less than 5,000 inhabitants.
229	...	amended, as to municipal courts in cities of less than 5,000, chap. 102, Laws 1899.
	...	amended, as to municipal courts in cities of less than 5,000, chap. 127, Laws 1899.
	...	amended, as to municipal courts in cities of less than 5,000, chap. 271, Laws 1899.
229	18	amended, as to municipal courts in cities of less than 5,000 people, chap. 161, Laws 1901.
229	...	municipal courts organized under, legalized, chap. 13, Laws 1903.
229	...	amended, as to reimbursement for costs not paid by defendant, in municipal courts in cities of less than 5,000, chap. 49, Laws 1903.
235	...	supplemented, as to public improvements in cities, chap. 128, Laws 1899.
236	...	amended by chap. 294, Laws 1897, as to enforcements and collection of assessments in installments.
249	...	repealed, by chap. 277, Laws 1897, establishment of section and quarter section corners.
250	5	amended, as to establishment of lost corners and lines, chap. 51, Laws 1903.
256	6	amended by chap. 237, Laws 1897, as to reincorporation of villages of 2,000 inhabitants or over.
	...	amended, as to town meetings held in villages of 6,000, chap. 258, Laws 1899.
	...	amended, as to municipal judge in villages of 2,000, chap. 289, Laws 1899.
261	...	amended by chap. 281, Laws 1897, as to change of names of villages.
264	...	amended, as to city and village lockups, chap. 187, Laws 1899.
272	1, 2, 5	amended, as to destruction of thistles and weeds, chap. 340, Laws 1903.
273	...	amended by chap. 111, Laws 1897, as to weeds declared common nuisances and their destruction.

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| 274 | ... | amended by chap. 244, Laws 1897, as to destruction of Russian thistle, and rebate of taxes therefor. |
| 276 | 2 | amended by chap. 137, Laws 1897, as to primary elections. |
| 4, 8 | | amended by chap. 125, Laws 1897, as to primary elections. |
| 278 | ... | repealed by chap. 295, Laws 1897, as to establishment of parks. |
| 285 | 1 | amended by chap. 163, Laws 1897, as to certificate of county auditors on deeds as to payment of taxes. |
| 287 | ... | amended, as to county road and bridge fund, chap. 211, Laws 1899. |
| 288 | 1 | amended by chap. 273, Laws 1897, allowing county auditors and treasurers compensation for clerk hire. |
| 291 | 5 | amended by chap. 8, Laws 1897, salaries of county auditors and treasurers in counties of 200,000 inhabitants or over. |
| 293 | ... | repealed by sec. 19, chap. 38, Laws 1902, as to ditch proceedings. |
| 296 | ... | amended, as to fees of clerks of district court in counties of not less than 40,000 and not more than 100,000 people, chap. 246, Laws 1901. |
| 297 | ... | amended by chaps. 11 and 147, Laws 1897, certain bonds issued under, legalized. |
| | 3 | amended by chap. 150, Laws 1897, as to raising money by counties to fund floating indebtedness for poor farms, roads and bridges. |
| 297 | ... | bonds issued under, legalized, chap. 21, Laws 1903. |
| 298 | ... | repealed by chap. 45, Laws 1897, enlargement of organized counties, etc. |
| 314 | ... | amended by chap. 372, Laws 1897, terms of court in Thirteenth judicial district. |
| 315 | 2 | amended by chap. 375, Laws 1897, terms of court in Fourteenth judicial district. |
| 321 | ... | amended, as to terms of court in Tenth judicial district, chap. 8, Laws 1903. |
| 328 | ... | repealed by chap. 13, Laws 1897, relating to struck juries. |
| 332 | ... | supplemented, corporations to have office and agent in state, chap. 69, Laws 1899. |
| 332 | ... | supplemented, corporations to have office and agent in state, chap. 233, Laws 1899. |
| 342 | ... | repealed, as to use of certain wagons and deduction of road tax, chap. 18, Laws 1901. |
| 353 | ... | amended, as to garnishments of non-residents, chap. 352, Laws 1901. |
| 354 | ... | amended by chap. 307, Laws 1897, bonds of contractors for public works. |
| 354 | ... | as amended by chap. 307, Laws 1897, amended as to bonds of contractors for public works, chap. 321, Laws 1901. |

APPENDIX C.

Index to General Laws of 1897 Amended, Repealed or Supplemented by General Laws of 1899, 1901, 1902 and 1903.

Chap.	Sec.	
6	...	amended, as to property exempt from execution, chap. 24, Laws 1899.
26	...	amended, as to issuance of bonds for public buildings in cities and villages, chap. 288, Laws 1901.
44	...	amended, authorizing deputy county auditors to administer oaths, chap. 67, Laws 1903.
48	...	amended, as to corporations for operating private cemeteries and crematories, chap. 224, Laws 1901.
50	...	amended, as to street sprinkling in cities of no more than 50,000, chap. 280, Laws 1899.
61	...	amended, as to organization of cities, chap. 52, Laws 1899.
83	8	amended, as to loaning of school funds, chap. 183, Laws 1903.
92	1	amended, as to establishment of judicial district, chap. 69, Laws 1901.
93	...	amended, as to justice courts, chap. 321, Laws 1899.
96	...	amended, as to the cost of new capitol building, chap. 168, Laws 1901.
96	...	amended, as to cost of state capitol, chap. 121, Laws 1903.
99	...	amended, as to organization of school districts in newly organized counties, chaps. 46 and 104, Laws 1899.
99	...	proceedings under, validated, chap. 198, Laws 1901.
99	5	as amended by chap. 104, Laws 1899, amended as to powers of newly organized counties, chap. 192, Laws 1901.
103	...	amended, as to roads and bridges, chap. 6, Laws 1899.
	...	supplemented, as to bridge fund in Todd and Crow Wing counties, chaps. 88 and 105, Laws 1899.
	...	amended, as to bridge in Stearns county, chaps. 133 and 191, Laws 1899.
103	...	title 7, section 1, amended as to roads and bridges, chap. 40, Laws 1901.
103	...	title 2, supplemented as to road and bridge fund in Pine county, chap. 48, Laws 1901.
109	...	amended by chap. 40, Laws 1902, as to pay of county commissioners.
109	...	amended, as to pay of county commissioners, chap. 103, Laws 1903.
114	...	amended, as to public libraries and reading rooms, chap. 272, Laws 1901.
118	...	amended, as to courts of justices of the peace, chap. 231, Laws 1899.
	...	amended, as to execution of wills, chap. 238, Laws 1899.
	...	amended, as to probate code, chap. 243, Laws 1899.
118	135	amended, as to powers of national guard, chap. 244, Laws 1901.
118	...	amended, as to national guard, chap. 52, Laws 1903.

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118	73	supplemented, as to terms of officers of national guard, chap. 182, Laws 1903.
120	...	amended, as to bounds of representative districts, chap. 45, Laws 1899.
120	2	amended by chap. 84, Laws 1902, as to bounds of senatorial and representative districts.
120	...	amended, as to bounds of senatorial and representative districts, chap. 77, Laws 1901.
120	2	amended, as to bounds of senatorial and representative districts, chap. 11, Laws 1903.
144	...	amended, as to horse stealing bounty, chap. 212, Laws 1901.
144	...	amended, as to bounties for conviction of horse thieves, chap. 158, Laws 1903.
160	...	amended, as to taxation of freight line companies, chap. 135, Laws 1899.
164	...	amended, as to town insurance companies, chap. 172, Laws 1901.
176	4	amended, as to adulteration of spices, chap. 257, Laws 1903.
192	...	amended, as to instruction in common branches in high schools, chap. 359, Laws 1903.
195	...	amended, as to school meetings, chap. 15, Laws 1899.
199	...	amended, as to appeals from county commissioner and town supervisors, chap. 153, Laws 1899.
199	...	amended, as to petitions for county roads, chap. 166, Laws 1903.
...	...	amended, as to county roads, chap. 202, Laws 1899.
212	...	amended, as to discharge from insane hospitals, chap. 25, Laws 1899.
213	...	amended, as to desecration of Decoration day, chap. 266, Laws 1899.
217	1	amended, as to prevention of adulteration of flax and linseed oil, chap. 332, Laws 1901.
221	...	amended, as to protection of game and fish, chap. 242, Laws 1899.
221	53	as amended by sec. 5, chap. 242, Laws 1899, amended as to protection, use and transportation of game and fish, chap. 342, Laws 1901.
221	...	amended, as to protection, use and transportation of game and fish, chap. 327, Laws 1901.
221	...	as amended by chap. 242, Laws 1899, relating to protection, taking and use of game and fish, chap. 229, Laws 1901.
221	...	as amended by chap. 242, Laws 1899, and by chap. 229, Laws 1901. amended by chap. 24, Laws 1902, as to game and fish.
221	...	as amended by chap. 327, Laws 1901, amended by chap. 25, Laws 1902, as to game and fish.
221	...	as amended by chap. 242, Laws 1899, amended by chap. 26, Laws 1902, as to game and fish.
221	...	as amended by chap. 242, Laws 1899, amended by chap. 27, Laws 1902, as to game and fish.
223	3	amended, as to notice to vendee of land in certain cases, chap. 294, Laws 1901.
225	...	amended, as to state agricultural society, chap. 304, Laws 1899.
225	...	repealed, as to state fair, chap. 126, Laws 1903.
227	...	amended, as to settlement of claims against city, chap. 236, Laws 1899.
233	...	amended, as to prevention of contagious diseases among domestic animals, chap. 322, Laws 1901.
233	...	amended, as to prevention of contagious diseases among domestic animals, chap. 179, Laws 1901.
233	4-12	amended, as to prevention of contagious diseases, chap. 141, Laws 1903.
239	...	amended, as to buildings to hold elections, chap. 59, Laws 1899.

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| 239 | 1 | amended, as to permitting voters of townships to hold elections in villages, chap. 202, Laws 1901. |
| 239 | ... | amended, to permit voters in townships to hold elections in villages, chap. 26, Laws 1903. |
| 251 | ... | amended, as to public schools, chap. 371, Laws 1901. |
| 258 | ... | amended, as to mutual creamery fire insurance companies, chap. 198, Laws 1899. |
| 258 | ... | amended, as to organization of mutual creamery fire insurance companies, chap. 92, Laws 1903. |
| 258 | ... | amended, as to mutual creamery insurance companies, chap. 347, Laws 1903. |
| 259 | ... | amended, as to rural schools, chap. 54, Laws 1899. |
| ... | ... | supplemented, as to high, graded and rural schools, chap. 352, Laws 1899. |
| 262 | ... | supplemented, attorney's authority to foreclose legalized, chap. 22, Laws 1899. |
| 263 | ... | amended, as to soldiers' home, chap. 164, Laws 1899. |
| 269 | 8 | amended, as to public printing, chap. 205, Laws 1901. |
| 269 | 8 | amended, as to public printing, chap. 203, Laws 1903. |
| 280 | ... | supplemented, as to cities and villages framing their own charters, chap. 351, Laws 1899. |
| 285 | ... | amended, as to definition of legal newspapers, chap. 10, Laws 1899. |
| 290 | ... | supplemented, as to rebate of local improvement taxes, chap. 71, Laws 1899. |
| ... | ... | amended, as to delinquent tax sale, chap. 84, Laws 1899. |
| ... | ... | supplemented, as to refunding tax sale payments, chap. 93, Laws 1899. |
| 291 | ... | supplemented, reimbursement of counties for care of non-resident insane, chap. 16, Laws 1899. |
| 292 | ... | amended, as to personal property and chattel mortgages, chap. 18, Laws 1899. |
| 292 | 5 | amended, as to chattel mortgages, chap. 12, Laws 1901. |
| 292 | ... | amended, as to chattel mortgages, chap. 355, Laws 1901. |
| 292 | ... | amended, as to chattel mortgages, chap. 320, Laws 1901. |
| 292 | ... | amended, as to chattel mortgages, chap. 146, Laws 1901. |
| 293 | ... | amended, as to tax on inheritances, chap. 261, Laws 1899. |
| 293 | ... | reimbursement of taxes paid under, chap. 67, Laws 1901. |
| 308 | ... | amended, as to boundaries of counties, chap. 32, Laws 1899. |
| 308 | 1 | as amended by chap. 32, Laws 1899, as to county boundaries, chap. 340, Laws 1901. |
| 309 | ... | amended, as to taxation of express companies, chap. 317, Laws 1899. |
| 309 | 6 | amended, as to taxation of express companies, chap. 124, Laws 1901. |
| 311 | 8 | amended, as to court commissioners, chap. 255, Laws 1903. |
| 312 | ... | amended, as to lease of state mineral lands, chap. 225, Laws 1903. |
| 318 | ... | title to amended chap. 217, Laws 1903. |
| 319 | ... | amended, as to qualification of plumbers, chap. 356, Laws 1901. |
| 322 | ... | amended, as to practice of veterinary medicine, chap. 149, Laws 1903. |
| 327 | ... | amended, as to malicious injury to property, chap. 48, Laws 1903. |
| 328 | ... | amended, as to drainage of wet lands, chap. 274, Laws 1899. |
| 328 | ... | amended by sec. 19, chap. 38, Laws 1902, as to ditch proceedings. |
| 350 | 1 | amended, as to liens on mines, chap. 338, Laws 1903. |
| 359 | ... | supplemented, as to school district bonds, chap. 103, Laws 1899. |
| 361 | ... | amended, as to foreign corporations to have office and agent in this state, chap. 70, Laws 1899. |

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- 366 ... amended, as to discharge of judgments against bankrupts, chap. 362, Laws 1899.
- 374 2 amended, to include Red Lake county in the Fourteenth judicial district, chap. 2, Laws 1903.
- 377 ... amended, as to terms of district court in Sixteenth judicial district, chap. 127, Laws 1901.
- 379 ... amended, as to discharge of judgments against bankrupts, chap. 362, Laws 1899.
- 379 2 amended, as to Eighteenth judicial district, chap. 280, Laws 1903.

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Index to General Laws of 1899 Amended and Repealed by General Laws of 1899, 1901, 1902 and 1903.

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15	...	amended, as to school meetings, chap. 38, Laws 1903.
15	1	amended, as to school meetings, chap. 385, Laws 1903.
28	1	amended, as to compensation of county commissioners, chap. 351, Laws 1901.
33	...	amended, as to payment of orders by village officers, chap. 190, Laws 1903.
46	5	as to probate code, chap. 331, Laws 1901.
46	229	(probate code) amended, as to decree of distribution, chap. 284, Laws 1901.
48	...	amended, as to public libraries and reading rooms, chap. 366, Laws 1901.
51	...	amended, as to use of roads by electric company, chap. 360, Laws 1901.
54	...	supplemented, as to high, graded and rural schools, chap. 352, Laws 1899.
59	...	amended, as to holding election of townships in villages, chap. 26, Laws 1903.
66	...	amended, as to additions to incorporated villages, chap. 99, Laws 1903.
69	...	amended, as to foreign corporations doing business in this state, chap. 70, Laws 1899.
77	...	amended, as to schools in districts of over 50,000 people, chap. 30, Laws 1901.
81	1	amended, as to clerk hire for county attorneys, chap. 375, Laws 1901.
91	...	amended, as to inspection of boilers and steam vessels, chap. 131, Laws 1903.
101	...	amended, as to uniformity of teachers' certificates, chap. 160, Laws 1901.
103	...	amended, as to issue of bonds for school houses, chap. 5, Laws 1901.
106	1	amending chap. 64, Laws 1895, amending chap. 122, Laws 1893, amending chap. 242, Laws 1889, amending chap. 115, Laws 1881, as to publication of legislative manual, chap. 133, Laws 1901.
123	...	amended, as to time of commencement of actions, chap. 279, Laws 1901.
132	...	amended, as to appropriations by county commissioners for im- provement of navigable lakes, chap. 259, Laws 1901.
134	1	amended by chap. 67, Laws 1902, as to salaries of district judges in counties of 100,000 or more.
134	1	amended, as to salaries of district judges, chap. 30, Laws 1903.
146	...	amended, as to rewards for killing wolves, chap. 32, Laws 1901.

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149	...	amended, as to distribution of personal property, chap. 334, Laws 1903.
154	2, 4	amended, as to probation of juvenile delinquents, chap. 102, Laws 1901.
154	1-7	amended, as to juvenile delinquents, chap. 270, Laws 1903.
155	...	amended, as to schoolhouses in districts in cities of less than 10,000, chap. 237, Laws 1899.
160	...	amended, as to roads and cartways, chap. 242, Laws 1903.
162	...	amended, as to public libraries and reading rooms, chap. 272, Laws 1901.
177	...	amended by chap. 40, Laws 1902, as to pay of county commissioners.
177	...	amended, as to pay of county commissioners, chap. 103, Laws 1903.
182	...	amended, as to discharge of mortgages, chap. 342, Laws 1903.
183	...	amended, as to sale of state prison binding twine, chap. 104, Laws 1903.
198	...	amended, as to mutual creamery insurance, chap. 347, Laws 1903.
198	...	amended, as to organization of mutual creamery fire insurance companies, chap. 92, Laws 1903.
200	2-5	amending chap. 107, Laws 1883, as amended by chap. 3, Laws 1885, and by chap. 234, Laws of 1889, amended as to safe deposit and trust companies, chap. 70, Laws 1903.
225	5	amended, as to license of commission merchants, chap. 277, Laws 1901.
226	...	amended, as to truant officers in ungraded schools, chap. 156, Laws 1901.
231	...	amended by chap. 33, Laws 1902, authorizing cities, villages and towns to lease and erect armouries.
232	...	amended, as to cost of new capitol building, chap. 168, Laws 1901.
232	...	amended, as to cost of state capitol, chap. 121, Laws 1903.
242	10	amended, as to protection of game and fish, chap. 35, Laws 1901.
242	...	amended by chap. 26, Laws 1902, as to game and fish.
242	...	amended by chap. 27, Laws 1902, as to game and fish.
242	...	amended by chap. 24, Laws 1902, as to game and fish.
244	1	amended, as to prevention of adulteration of lead and paints, chap. 267, Laws 1901.
245	2	amending chap. 7, Laws 1889, as amended by chap. 119, Laws 1891, amended as to adulteration of food products, chap. 336, Laws 1901.
247	...	amended by sec. 19, chap. 38, Laws 1902, as to ditch proceedings.
256	1	amended, as to district poorhouses, chap. 130, Laws 1901.
257	1	amended, as to use of preservatives in milk, chap. 348, Laws 1901.
264	...	amended, as to cemeteries in townships, chap. 343, Laws 1901.
274	...	amended by sec. 19, chap. 38, Laws 1902, as to ditch proceedings.
295	...	amended, as to dairy products, chap. 155, Laws 1903.
304	...	repealed, as to state fair, chap. 126, Laws 1903.
323	...	amended by sec. 19, chap. 38, Laws 1902, as to ditch proceedings.
332	...	amended, as to allowance of claims against counties, chap. 337, Laws 1903.
339	...	amended by chap. 44, Laws 1902, as to erection of monuments for Union soldiers.
339	...	amended, as to monuments for Union soldiers, chap. 29, Laws 1901.
342	16	amended, as to liens for labor on logs and timber, chap. 293, Laws 1901.
345	...	amended, as to education of soldiers of Spanish war, chap. 25, Laws 1901.
349	...	amended, as to primary elections, chap. 216, Laws 1901.

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349	...	amended by chap. 6, Laws 1902, as to primary election day.
349	12	amended, as to primary elections, chap. 240, Laws 1903.
351	4	amended, as to cities, framing their own charters, chap. 323, Laws 1901.
351	...	supplemented, as to framing of charters by cities, chap. 209, Laws 1903.
352	...	amended, as to encouragement of better condition of public schools, chap. 148, Laws 1901.
352	...	amended, as to encouragement of public schools, chap. 138, Laws 1901.
352	...	amended, as to high schools, semi-graded schools, and rural schools, chap. 189, Laws 1901.
352	10	amended, as to betterment of public schools, chap. 19, Laws 1901.
352	...	amended, as to high and graded schools, chap. 184, Laws 1903.
352	14, 19, 25, 28	amended, as to schools, chap. 366, Laws 1903.

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Index to General Laws of 1901 Amended and Repealed by the General Laws of 1902 and 1903.

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29	...	amended by chap. 44, Laws 1902, as to pay of county commissioners.
32	...	repealed, as to bounties for killing wolves, chap. 113, Laws 1903
42	...	modified by chap. 35, Laws 1902, by extending time of payment for seed-grain loan.
66	...	amended, authorizing state university to accept gifts, chap. 145, Laws 1903.
75	...	amended, as to construction of bridges by cities of 50,000, chap. 115, Laws of 1903.
95	...	amended, as to express trusts, chap. 132, Laws of 1903.
102	2-4	amended, as to juvenile delinquents, chap. 270, Laws 1903.
129	1	amended, as to printing of municipal corporations, chap. 350, Laws 1903.
131	...	proceedings under legalized as to village contracts for water, gas, light, power, by chap. 60, Laws 1902.
138	2	amended, as to aid for rural schools, chap. 361, Laws 1903.
140	...	amended by chap. 89, Laws 1902, as to relief of Joseph Bobleter.
145	...	amended, as to sureties on bonds of officers, chap. 239, Laws of 1903.
162	1	amended by chap. 34, Laws 1902, adding staff of commander-in-chief to National Guard.
167	6	proviso 1, repealed as to construction of sewers and sidewalks in cities of less than 10,000, chap. 215, Laws of 1903.
168	...	amended, as to cost of state capitol, chap. 121, Laws of 1903.
178	...	amended, as to incorporation and regulation of life insurance companies, chap. 295, Laws 1903.
187	...	repealed, and provision made for refundment of tax on dogs, chap. 37, Laws 1902.
187	...	relating to tax on dogs, repealed by chap. 36, Laws 1902.
189	...	amended, as to high and graded schools, chap. 184, Laws of 1903.
189	2, 3, 4, 5	amended, as to schools, chap. 366, Laws 1903.
195	...	amended by chap. 45, Laws 1902, as to passenger elevators.
205	...	amended, as to public printing, chap. 203, Laws of 1903.
212	...	amended, as to bounties for the conviction of horse thieves, chap. 158, Laws of 1903.
216	...	as to primary elections, amended by chap. 6, Laws 1902.
216	...	as to primary elections, amended by chap. 7, Laws 1902.
216	...	amended, as to primary elections, chap. 240, Laws of 1903.
229	...	amended by chap. 24, Laws 1902, as to game and fish.
233	...	amended, as to building, loan and savings associations, chap. 93, Laws of 1903.
237	...	amended by chap. 11, Laws 1902, as to registration of land title.
237	...	amended, as to foreclosure of mortgages and record of under, chap. 87, Laws of 1903.

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- 237 1, 5, 13, 14, 15, 18, 30, 52, 58 amended, as to Torrence Land Registry system, chap. 234, Laws of 1903.
- 238 ... amended by chap. 29, Laws 1902, as to preservation of public health from epidemic diseases.
- 249 ... amended by chap. 14, Laws 1902, as to conveyances by husband to wife.
- 251 ... repealed, as to aid of paupers, chap. 298, Laws 1903.
- 252 ... amended, as to prohibition of "blind pigs," chap. 206, Laws of 1903.
- 255 ... repealed and superseded by chap. 8, Laws 1902, as to inheritance tax.
- 256 2 amended, abolishing road overseers in counties of 150,000, chap. 109, Laws of 1903.
- 258 ... amended by chap. 38, Laws 1902, as to drainage of lands.
- 258 ... ditch proceedings under legalized by chap. 39, Laws 1902.
- 258 ... amended, as to drainage of lands, chap. 315, Laws 1903.
- 258 8 amended, as to drainage of lands, chap. 178, Laws of 1903.
- 258 21 amended, as to drainage of lands, chap. 311, Laws 1903.
- 272 ... amended by chap. 32, Laws 1902, as to public libraries.
- 275 ... amended by chap. 12, Laws 1902, as to determination of heirship to government homestead.
- 280 ... repealed by chap. 30, Laws 1902, as to adulteration of lard.
- 291 ... amended, as to practice of veterinary medicine, chap. 149, Laws of 1903.
- 303 1-2 amended, as to appointment of park commissioners in cities of 10,000 or less, chap. 243, Laws of 1903.
- 304 2 amended by chap. 52, Laws 1902, as to licenses in cities and villages to sell goods temporarily.
- 309 22 amended by chap. 72, Laws 1902, as to appropriation for bridge in Claremont, Dodge county.
- 309 29 amended by chap. 73, Laws 1902, as to appropriations for bridges in Grant county.
- 309 44 amended by chap. 74, Laws 1902, as to appropriation for bridge in Martin county.
- 309 48 amended by chap. 75, Laws 1902, as to appropriations for bridge in Mower county.
- 309 49 amended by chap. 76, Laws 1902, as to appropriations for bridges in Murray county.
- 309 61 amended by chap. 77, Laws 1902, as to appropriation for bridge in Renville county.
- 309 76 amended by chap. 78, Laws 1902, as to appropriations for bridge in Washington county.
- 309 ... amended, as to appropriation for bridge in Murray county, chap. 39, Laws of 1903.
- 309 11 repealed, as to roads and bridges, chap. 290, sec. 91, Laws 1903.
- 309 31 amended, as to bridge across Root river, chap. 35, Laws of 1903.
- 309 54 amended, as to appropriations for roads and bridges in counties, chap. 45, Laws 1903.
- 309 62 amended, as to appropriation for bridges in Rice county, chap. 212, Laws of 1903.
- 312 ... amended, as to names of parties on election ballots, chap. 232, Laws of 1903.
- 322 ... amended, as to prevention of contagious diseases, chap. 141, Laws of 1903.
- 327 ... amended by chap. 25, Laws 1902, as to game and fish.
- 341 1 amended, as to allowance of expenses of county superintendents of schools, chap. 398, Laws 1903.
- 341 1 amended, as to allowance of expenses of superintendents of schools, chap. 200, Laws of 1903.

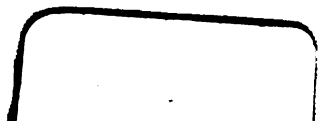
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346	...	amended, as to descent of real estate, chap. 23, Laws of 1903.
353	...	amended, authorizing county commissioners to refund probate fees illegally collected under chap. 103, Laws of 1885, chap. 105, Laws of 1903.
361	...	amended, as to terms of court in Kanabec county, chap. 19, Laws of 1903.
363	...	amended, as to county jails, chap. 378, Laws of 1903.
381	15	amended by chap. 88, Laws 1902, as to appropriation for Mankato Normal School.

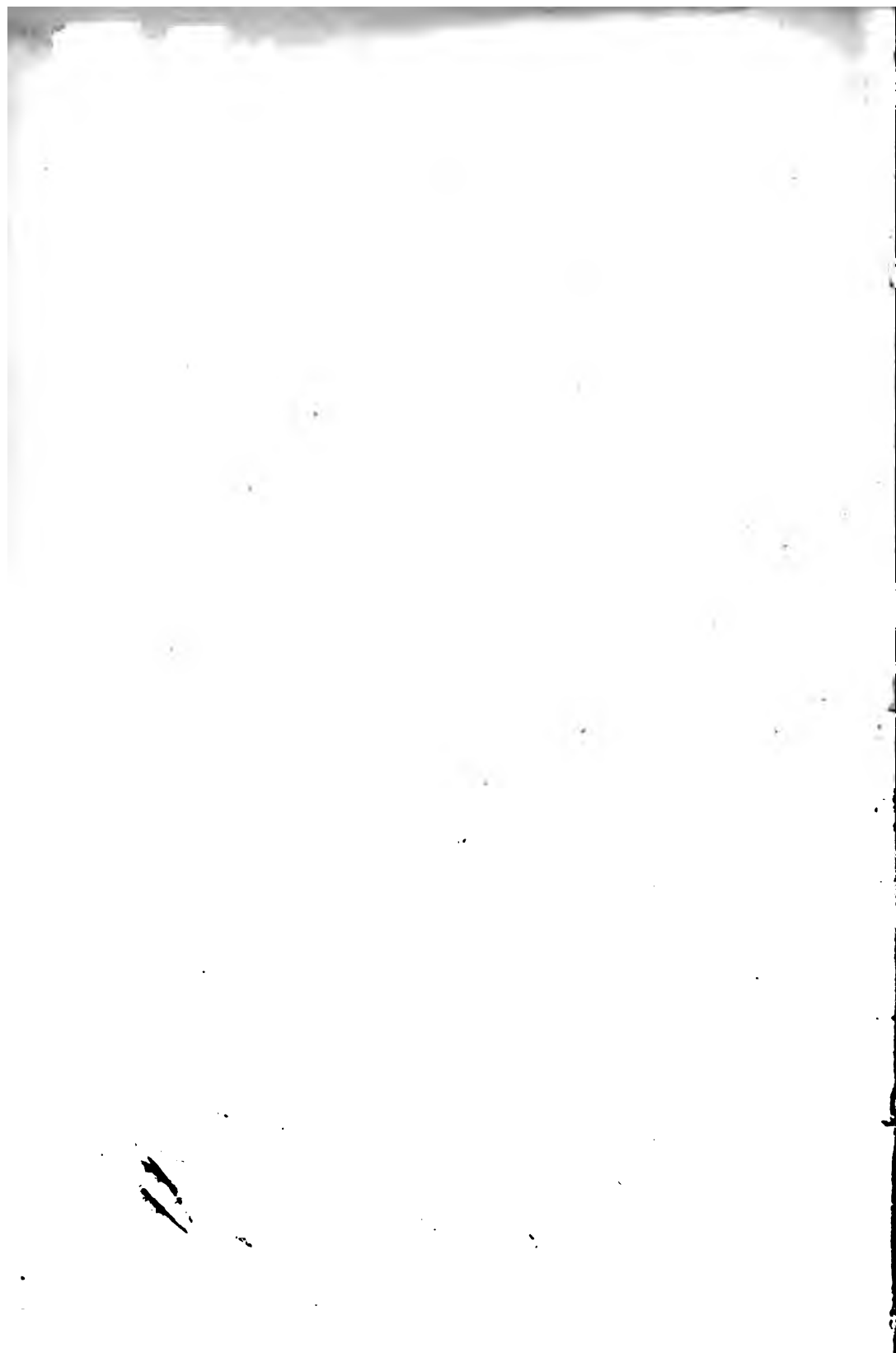


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2	5	amended, as to taxation of real estate, chap. 349, Laws 1903.
2	51	amended, as to real estate taxes, chap. 324, Laws 1903.
2	60	amended, as to refundment of taxes, chap. 231, Laws 1903.
2	69	amended, as to tax liens on real estate, chap. 396, Laws 1903.
2	77	amended, as to refundment by counties of moneys and taxes illegally collected, chap. 116, Laws 1903.
33	1	re-enacted as part of Military Code, chap. 52, Laws 1903.
38	...	amended, as to drainage of lands, chap. 315, Laws 1903.
38	13	amended, as to drainage of lands, chap. 311, Laws 1903.
67	...	amended, as to salaries of district judges, chap. 30, Laws 1903.
68	...	amended, as to terms of district court in First judicial district, chap. 3, Laws 1903.
76	...	amended, as to appropriation for bridge in Murray county, chap. 39, Laws 1903.
87	...	repealed, as to Louisiana Purchase Exposition, chap. 112, Laws 1903. publication of, pay of newspapers for, chap. 102, Laws 1903.





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